



# भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 3] नई दिल्ली, शनिवार, जनवरी 20, 1968/पीष 30, 1889  
No. 3] NEW DELHI, SATURDAY, JANUARY 20, 1968/PAUSA 30, 1889

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

नोटिस

NOTICE

नीचे लिखे भारत के असाधारण राजपत्र 4 जनवरी 1968 तक प्रकाशित किये गये :—

The undermentioned Gazettes of India Extraordinary were published upto the 4th January 1968

Issue No.	No & Date	Issued by	Subject
65	S.O. 4452, dated the 11th Dec. 1967	Ministry of Food, Agriculture, Community Development and Co-operation.	Amendment in the Order of the Govt. of India in the Ministry of Food and Agriculture (Deptt. of Food), No. S. O. 3376 dated the 30th October 1962.
66	S. O. 4453, dated the 13th Dec. 1967	Ministry of Commerce	Recognition of Export Inspection Agencies by the Central Government.
67	S. O. 4454, dated the 14th Dec. 1967	Do.	Notification, specification, recognition and prohibition of export of steel trunks by the Central Government.
	S. O. 4455	Do.	Making of Export of Steel Trunks (Inspection) Rules, 1967 by the Central Government.
	S. O. 4456	Do.	Recognition of agencies for inspection of steel trunks prior to export.
	S. O. 4457	Do.	Appointment of a panel of experts by the Central Government for hearing appeals.

Issue No.	No. and date	Issued by	Subject
568	S. O. 4458, dated the 14th December, 1967	Ministry of Food, Agriculture, Community Development and Co-operation.	Establishment of a Board of Management for the State of Andhra Pradesh by the Central Government.
569	S. O. 4459, dated the 14th Dec. 1967	Ministry of Commerce.	Suspension of contracts in Jute goods by the Central Government.
570	S. O. 4460 18-A/IDRA/67, dated the 14th Dec. 1967	Ministry of Industrial Development and Company Affairs.	Authorisation of the body of persons by the Central Government to take over the management of M/s. Samastipur Central Sugar Company Ltd., Samastipur, Distt. Darbhanga (Bihar).
571	S. O. 4461, dated the 16th Dec. 1967	Ministry of Commerce.	Amendment of the notification of the Government of India in the Ministry of Commerce No. S.O. 847, dated the 13th March, 1967 by the Central Government.
572	S. O. 4462, dated the 16th Dec. 1967	Ministry of Information & Broadcasting.	Approval by the Central Govt. of the films specified in Column 2 of schedule annexed thereto.
573	S. O. 4463, dated the 18th Dec. 1967	Ministry of Commerce.	Corrigendum of S. O. No. 1110, dated the 25th March, 1967 of the Ministry of Commerce.
574	S. O. 4570, dated the 18th Dec. 1967	Ministry of Law.	Further amendment of the Registration of Electors Rules, 1960.
575	S. O. 4571, dated the 19th Dec. 1967	Election Commission of India.	Election of a person to fill the vacancy in Mandya Parliamentary Constituency.
	S. O. 4572, dated the 19th Dec. 1967	Do.	Fixation of certain dates with respect to the bye-elections of the Mandya Parliamentary Constituency.
	S. O. 4573, dated the 19th Dec. 1967	Do.	Fixation of the hours for the election to the House of the People for Mandya Parliamentary Constituency.
576	S. O. 4574, dated the 19th Dec. 1967	Ministry of Commerce	Notification, specification, recognition and prohibition of export of expanded metal steel sheets by the Central Govt.
	S. O. 4575, dated the 19th Dec. 1967	Do.	Certain rules made by the Central Govt.
	S. O. 4576, dated the 19th Dec. 1967	Do.	Recognition of agencies for inspection of expanded metal steel sheets prior to export.
	S. O. 4577, dated the 19th Dec. 1967	Do	Recognition of the Indian Standards Institution certification mark for the expanded metal steel sheets.
	S. O. 4578, dated the 19th Dec. 1967	Do.	Appointment of panel of experts by the Central Govt. for hearing appeals.

Issue No.	No. and Date	Issued by	Subject
577	S. O. 4579, dated the 19th Dec. 1967	Election Commission of India	Amendment in the notification No. 56/67-III (S. O. 3483) of 26th Sept. 1967.
578	S. O. 4580, dated the 20th Dec. 1967	Ministry of Commerce.	Inspection of vacuum flask prior to their export by the Export Inspection Council.
579	S. O. 4581, dated the 21st Dec. 1967	Do.	Amendment of the notification of the Govt. of India in the Ministry of Commerce S. O. No. 491 of 11th Feb. 1966.
	S. O. 4582, dated the 21st Dec. 1967	Do.	The Export of Frog Legs (Inspection) Amendment Rules, 1967.
580	S. O. 4583, dated the 21st Dec. 1967	Do.	Suspension of forward trading in Jute goods.
581	S. O. 4584, dated the 22nd Dec. 1967	Ministry of Finance	Amendment in the notification No. 64 [F. No. 16/14/66-I(T(B)], dated the 25th July, 1967.
	S. O. 4585, dated the 22nd Dec. 1967	Do.	Amendment in the notification No. 85 [F. No. 16/14/66-ITB), dated the 25th August, 1967.
	S. O. 4586, dated the 22nd Dec. 1967	Do	Authorising Shri R. K. Rajvansh to exercise the powers of a Tax Recovery Officer.
	S. O. 4587, dated the 22nd Dec. 1967	Do.	Authorising Shri R. K. Puri to exercise the powers of a Tax Recovery Officer.
582	S. O. 4588, dated the 21st Dec. 1967	Central Board of Direct Taxes	The Income-tax (Sixth Amendment) Rules, 1967.
583	S. O. 4589, dated the 26th Dec. 1967	Ministry of Information and Broadcasting.	Approval of the film as specified therein.
584	S. O. 4590, dated the 26th Dec. 1967	Ministry of Industry, Development & Company Affairs.	The Cement Control Order, 1967.
	एस० ओ० 4591 आई डी० आर० ए०/18 जी/67 दिनांक 26 दिसम्बर 1967	प्रौद्योगिक विकास तथा समवाय कार्य मंत्रालय	सीमेंट आदेश, 1967.
585	S. O. 4668, dated the 26th Dec. 1967	Ministry of Transport and Shipping.	Notifies the area specified.
586	S. O. 4669, dated the 27th Dec. 1967	Ministry of Commerce.	Amendments to the notification No. S. O. 771 dated the 6th March, 1965.
587	S. O. 4660, dated the 28th Dec. 1967	Do.	Delegation of powers in relation to all essential commodities other than foodstuffs and fertilizers to the Commissioner Civil Supplies, Deputy Commissioner Civil Supplies and Assistant Commissioner Civil Supplies.

Issue No.	No. and date	Issued by	Subject
588	S. O. 4661, dated the 28th Dec. 1967	Ministry of Commerce	Suspension of forward trading in Jute goods.
589	S. O. 4662, dated the 28th Dec. 1967	Ministry of Labour, Employment and Rehabilitation	Reterring the dispute between the employers in relation to the managements of the Iron Ore Mines and their workmen to the Industrial Tribunal, Jabalpur.
	S. O. 4663, dated the 28th Dec. 1967	Do.	Prohibiting the continuance of the Strike in the Iron Ore Mines.
590	S. O. 4664, dated the 30th Dec. 1967	Ministry of Finance	Amendment to the notification No. 39 Customs, dated the 1st April, 1967.
591	S. O. 4665, dated the 30th Dec. 1967	Ministry of Industrial Development & Company Affairs	Appointment of a body of persons for making a full investigation into the fall of production in respect of Cotton textiles manufactured in the Indore Malwa United Mills, Ltd., Indore, Madhya Pradesh.
1	S. O. 1, dated the 1st Jan. 1968	Ministry of Commerce.	Cancelling the Order No. S. O. 1241 dated the 16th May, 1960.
2	S. O. 2 dated the 1st Jan. 1968	Do.	Appointment of a panel of experts for hearing appeals against the decision of the Export Inspection Agency.
3	S. O. 87, dated the 2nd Jan. 1968	Do.	The Export of Cashew Kernels (Quality Control and Inspection) Second Amendment Rules, 1967.
4	S. O. 88, dated the 3rd Jan. 1968	Ministry of Information and Broadcasting.	Approval of the film as specified therein.
5	S. O. 89, dated the 3rd Jan. 1968	Ministry of Commerce.	Quality Control and preshipment inspection of jute sacking cloth.
	S. O. 90, dated the 3rd Jan. 1968	Do.	The Export of Jute Sacking Cloth (Inspection) Rules, 1967.
	S. O. 91, dated the 3rd Jan. 1968	Do.	Recognition of the Indian Standards Institution certification Mark with respect to jute sacking Cloth.
6	S. O. 92, dated the 3rd Jan. 1968	Do.	Amendments to the notification No. S. O. 4393, dated 28th December 1964.
	S. O. 93, dated the 3rd Jan. 1968	Do.	Amendment to notification No. S. O. 4394, dated 28th December 1964.

Issue No.	No. and Date	Issued by	Subject
7.	S. O. 94, dated the 4th Jan 1968.	Ministry of Commerce	Amendment to the Exports (Control) Order, 1962.

ऊपर लिखे असाधारण राजपत्रों की प्रतियां प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के नाम मांगपत्र भेजने पर भेज दी जायेंगी। मांगपत्र प्रबन्धक के पास इन राजपत्रों के जारी होने की तारीख से 10 दिन के भीतर पहुंच जाने चाहिए।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

### भाग II—खण्ड 3—उपखण्ड (ii)

#### PART II—Section 3—Sub-section (ii)

(आ मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर) केन्द्रीय प्राधिकरणों द्वारा जारी किए गए विधिक आदेश और अधिसूचनाएं।

**Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).**

#### ELECTION COMMISSION, INDIA

*New Delhi, the 3rd January 1968*

**S.O. 222.**—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950 (43 of 1950), the Election Commission, in consultation with the Government of Orissa hereby nominates Shri G. N. Das, I.A.S. Additional Secretary to Government Political and Services Department, as the Chief Electoral Officer for the State of Orissa with effect from the 15th November, 1967 (A.N.) and until further orders vice Shri Amar Singh, I.A.S. retired.

[No. 154/10/67.]

#### ORDERS

*New Delhi, the 12th December 1967*

**S.O.223.**—Whereas Shri Baserising Kushram a contesting candidate for election to the House of the People from the Mandla Constituency, failed to lodge any account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder, and was given due notice of such failure;

And, whereas the Election Commission is satisfied that the account since lodged by him has also not been lodged in the manner prescribed in the said Act and Rules, and he has not furnished any good reason or justification for the failure,

Now, therefore, in pursuance of section 10-A of the said Act, the Election Commission hereby declares the said Shri Baserising Kushram to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this Order.

[No MP-JIP/21/67.]

*New Delhi, the 22nd December 1967*

**S.O. 224.**—Whereas the Election Commission is satisfied that Shri Menezes Armando a contesting candidate for election to the House of the People from Marmagao constituency, has failed to lodge an account of his election expenses in the manner required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after due notice has not given any good reason or explanation for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Menezes Armando to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this Order.

[No. Goa-HP/2/87(2).]

*New Delhi, the 1st January 1968*

**S.O. 225.**—Whereas the Election Commission is satisfied that Shri Gurdial Singh S/o Shri Chana Singh, village Bhaini Bhaga, Tehsil Mansa (Punjab), a contesting candidate for election to the House of the People from Bhatinda Constituency, has failed to lodge an account of his election expenses within the time and in the manner required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, after considering the representation made by the said candidate, the Election Commission is further satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Gurdial Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this Order.

[No. PB-HP/13/67(2).]

*New Delhi, the 3rd January 1968*

**S.O. 226.**—Whereas the Election Commission is satisfied that Shri Pradhan Kishu, village Jamoa, P.O. Godda, Santhal Parganas, a contesting candidate for election to the House of the People from Godda constituency, has failed to lodge an account of his election expenses within the time and in the manner required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, after considering the representation made by the said candidate, the Election Commission is further satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Pradhan Kishu to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order

[No. BR-HP/25/67(20).]

By Order,

K. S. RAJAGOPALAN, Secy.

## MINISTRY OF FINANCE

(Department of Economic Affairs)

*New Delhi, the 8th January 1968*

**S.O. 227.**—In exercise of the powers conferred by clause (c) of sub-section (1) of section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby nominates, with effect from the 15th January, 1968, Dr. V. Shanmugasundaram, Head of the Department of Economics of the Madras University, as a Director of the Central Board of the Reserve Bank of India.

[No. F. 3(82)-BC/67.]

D. N. GHOSH, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 12th January 1968

S.O. 228.—Statement of the Affairs of the Reserve Bank of India as on the 5th January, 1968

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up . . . . .	5,00,00,000	Notes . . . . .	25,55,39,000
		Rupee Coin . . . . .	3,67,000
Reserve Fund . . . . .	80,00,00,000	Small Coin . . . . .	4,22,000
		Bills Purchased and Discounted:—	
National Agricultural Credit (Long Term Operations) Fund . . . . .	1,31,00,00,000	(a) Internal . . . . .	..
		(b) External . . . . .	..
		(c) Government Treasury Bills . . . . .	256,77,00,000
National Agricultural Credit (Stabilisation) Fund . . . . .	25,00,00,000	Balances Held Abroad* . . . . .	100,18,68,000
		Investments** . . . . .	196,69,60,000
National Industrial Credit (Long Term Operations) Fund . . . . .	30,00,00,000	Loans and Advances to:—	
		(i) Central Government . . . . .	..
		(ii) State Governments@ . . . . .	32,95,16,000
		Loans and Advances to:—	
Deposits:—		(i) Scheduled Commercial Banks† . . . . .	4,28,07,000
(a) Government—		(ii) State Co-operative Banks‡ . . . . .	203,72,29,000
(i) Central Government . . . . .	51,86,76,000	(iii) Others . . . . .	2,47,05,000

LIABILITIES		Rs.	ASSETS		Rs.
(ii) State Governments . . . . .		13,34,05,000	Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund—		
(b) Banks —			(a) Loans and Advances to :—		
(i) Scheduled Commercial Banks . . . . .		133,25,15,000	(i) State Governments . . . . .		28,01,30,000
(ii) Scheduled State Co-operative Banks . . . . .		5,57,92,000	(ii) State Co-operative Banks . . . . .		13,46,49,000
(iii) Non-Scheduled State Co-operative Banks . . . . .		91,90,000	(iii) Central Land Mortgage Banks . . . . .		..
(iv) Other Banks . . . . .		8,25,000	(b) Investment in Central Land Mortgage Bank Debentures—		
(c) Others . . . . .		362,83,98,000	Loans and Advances from National Agricultural Credit (Stabilisation) Fund . . . . .		7,89,36,000
Bills Payable . . . . .		23,64,85,000	Loans and Advances to State Co-operative Banks . . . . .		8,08,98,000
Other Liabilities. . . . .		73,58,05,000	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund—		
Rupees . . . . .		936,10,91,000	(a) Loans and Advances to the Development Bank . . . . .		5,86,85,000
			(b) Investment in bonds/debentures issued by the Development Bank . . . . .		..
			Others Assets . . . . .		50,06,80,000
			Rupees . . . . .		936,10,91,000

\*Includes Cash and Short-term Securities.

\*\*Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary over drafts to State Governments.

† Includes Rs. 1,31,27,000 advanced to scheduled commercial banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

‡ Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Date: the 10th day of January, 1968



An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 5th day of January, 1968.

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department . . . . .	25,55,39,000		Gold Coin and Bullion:—		
Notes in circulation . . . . .	<u>3074,41,78,000</u>		(a) Held in India . . . . .	115,89,25,000	
Total Notes issued . . . . .		3099,97,17,000	(b) Held outside India . . . . .	..	
			Foreign Securities . . . . .	<u>166,42,00,000</u>	
			TOTAL . . . . .		282,31,25,000
			Rupee Coin . . . . .		77,41,52,000
			Government of India Rupee Securities		<u>2740,24,40,000</u>
			Internal Bills of Exchange and other commercial paper . . . . .		..
Total Liabilities . . . . .		3099,97,17,000	Total Assets . . . . .		3099,97,17,000

Dated the 10th day of January, 1968.

L. K. JHA,  
Governor.

[No. F. 3(3)-BC/68.]

V. SWAMINATHAN, UNDER SECY.

## (Department of Revenue and Insurance)

## ORDERS

## STAMPS

*New Delhi, the 13th January 1968*

**S.O. 229.**—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits (in addition to the remission of duty made in notification No 13/67 of the Government of India in the Ministry of Finance (Department of Revenue and Insurance) and published in the Gazette of India, Part II, section 3, sub-section (ii) dated 23rd December, 1967 at page 4747), the stamp duty with which the *ad-hoc* bonds of the value of four lakhs of rupees to be issued by the Jammu and Kashmir State Financial Corporation, are chargeable under the said Act

[No. 1/68-F. No. 1/72/67-Cus.VII/Stamps.]

*New Delhi, the 20th January, 1968*

**S.O. 230.**—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the *ad-hoc* bonds to the value of one crore of rupees to be issued during the year 1968 by the Maharashtra State Financial Corporation are chargeable under the said Act.

[No. 2/68-F. No. 1/83/67-Cus.VII/Stamps.]

M. S. SUBRAMANYAM, Under Secy.

## CENTRAL BOARD OF DIRECT TAXES

## INCOME-TAX

*New Delhi, the 4th January 1968*

**S.O. 231.**—In exercise of the powers conferred by Sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf, the Central Board of Direct Taxes, hereby makes the following further amendments in the Schedule appended to its notification No. 68 (F. No. 50/88/67-ITJ) dated 9th August, 1967 namely:—

Against Poona Range-II Poona under column 2 the following shall be added:—

16 Additional Income-tax Officer, F-Ward, Poona.

*Explanatory Note*

The amendment has become necessary on account of the creation of a new charge in the Commissioner's charge.

(This note does not form part of the notification but is intended to be merely clarificatory.)

[No. I/F. No. 50/88/67-ITJ.]

*New Delhi, the 8th January 1968*

**S.O. 232.**—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961), and of all other powers enabling it in that behalf, and in supersession of all the previous notifications in this regard, the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioners of Income-tax of the Ranges specified in column 2 of the Schedule below shall perform their functions in respect of all persons and incomes assessed to Income-tax or Super-tax in the Income-tax Circles, Wards or District specified in the corresponding entry in column 3 thereof.

## SCHEDULE

S No	Range	Income-tax Circles, Wards or Districts
1	2	3
i	Patna 'A'	(i) A, D, F & G Wards of Patna Circle, Patna. (ii) Ward (i) of Patna I, Patna. (iii) Ward (iv) of Patna II, Patna (iv) Ward (iii) of Patna I, Patna. (v) Special Estate Duty-Cum-I.T. Circle, Patna (vi) Special Investigation Circle, Patna. (vii) Darbhanga Circle, Lahoriyasarai. (viii) Champaran Circle, Motihari.

1	2	3
2	Patna 'B'	(i) B, C, E & H Wards of Patna Circle, Patna. (ii) Ward (i) of Patna II, Patna. (iii) Ward (ii) of Patna I, Patna. (iv) Ward (iii) of Patna II, Patna. (v) Shahabad Circle, Arrah. (vi) Gaya Circle, Gaya. (vii) Salary Circle, Patna. (viii) Special Circles, Ward A & B, Patna.
3	Muzaffarpur	(i) Muzaffarpur Circle, Muzaffarpur. (ii) Saran Circle, Chapra.
4	Bhagalpur	(i) Bhagalpur Circle, Bhagalpur. (ii) Santhal Paragana Circle, Deoghar. (iii) Monghyr Circle, Monghyr. (iv) Purnea-Saharsa Circle, Purnea.
5	Ranchi	(i) Ranchi Circle, Ranchi. (ii) Special Circle, Ranchi. (iii) Salary Circle, Ranchi. (iv) Special Estate-Duty-Cum-I.T. Circle, Ranchi. (v) Singhbhum Circle, Jamshedpur. (vi) Salary Circle, Jamshedpur. (vii) Palamu Circle, Daltonganj.
6	Dhanbad	(i) Dhanbad Circle, Dhanbad. (ii) Colliery Circle, Dhanbad. (iii) Hazaribagh Circle, Hazaribagh.
7	Cuttack 'A'	(i) A, C, E Wards of Cuttack Circle, Cuttack. (ii) Puri Circle, Puri. (iii) Salary Circle, Bhubneshwar.
8	Cuttack 'B'	(i) B, D & F Wards of Cuttack Circle, Cuttack. (ii) Central Circle, Cuttack. (iii) Baripada Circle, Baripada. (iv) Special Circle, Cuttack.
9	Sambalpur	(i) Sambalpur Circle, Sambalpur. (ii) Sundergarh Circle, Rourkela. (iii) Titlagarh Circle, Titlagarh.
10	Berhampur	(i) Berhampur Circle, Berhampur. (ii) Koraput Circle, Jeypore (Orissa).

Where an Income-tax Circle, Ward or District or part thereof stands transferred by this Notification from one Range to another Range, appeals arising out of assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this Notification before the Appellate Assistant Commissioner of the range from whom that Income-tax Circle, Ward or District or part thereof is transferred shall, from the date of this Notification shall take effect, be transferred and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This Notification shall take effect from the 15th January, 1968.

#### Explanatory Note

The amendments have become necessary on account of the abolition of 'C' Range Patna and Jamshedpur Range, Jamshedpur and creation of 'B' Range, Cuttack in the Commissioner's charge and consequent revision of jurisdiction amongst the AACs.

(The above note does not form part of the notification, but is intended to merely clarificatory).

[No. 3/F. No. 50/77/67-ITJ]

P. G. GANDHI, Under Secy

**OFFICE OF THE COLLECTOR OF CENTRAL EXCISE AND CUSTOMS, PATNA**

*Patna, the 3rd November 1967*

*Amendment to Manufactured Product Notification No. 4-CX/67 dated 3-8-67*

**S.O. 233.**—The following amendment in the aforesaid Notification circulated under this office endorsement C. No. VI(EEE)(6)1/62/Vol. II/32194-32258 dated 1st August 1967 should be made

In the table annexed to the said notification in Column No. 2 against serial No. 5 for the letters and figure A.R. 6 the letters and figure "A.R. 10" shall be substituted.

[No. 5/CX/67/Audit/204397/67]

TILAK RAJ, Collector.

**OFFICE OF THE COLLECTOR OF CENTRAL EXCISE  
MADHYA PRADESH AND VIDARBHA**

**CENTRAL EXCISES**

*Nagpur, the 2nd January 1968*

*(Corrigendum to Notification No. 2/1961-C.Ex. dt. 10-2-61)*

**S.O. 234.**—The following further amendment to this Collectorate Notification No. 2/1961 (Central Excise) dated 10-2-61 is ordered with immediate effect—

- (i) The words and figures "9-B(2)" appearing in column (2) against item 2 of the said Table inserted under this Collectorate Notification No. 5/62-Central Excise, dated 11-9-62 shall be deleted and the words and figures "9-B(3)" shall be inserted in its place;
- (ii) The words and figures "9-B(3)" appearing in column (2) over the figures '13' against item 3 of the said Table inserted under this Collectorate Notification No. 5/62-Central Excise, dated 11-9-62 shall be deleted and the words and figures "9-B(2)" shall be inserted in its place.

2. The effect of this amendment is that the Senior Superintendents of Central Excise, shall accept general Bonds in Form B-13 (Gen. Sur/SEC) (Central Excise Series No. 32H and 32I) and the Inspectors of Central Excise, shall accept Bond in form B-10 (SUR./SEC) (Central Excise Series No.32C and 32-D) in cases of provisional assessments under Rule 9-B of Central Excise Rules, 1944.

3. This Collectorate Notification No.5/62-Central Excise, dated the 11th September, 1962 is hereby cancelled.

[No. 1/1963.]

VIPIN MANEKLAL, Collector

**MINISTRY OF COMMERCE**

*New Delhi, the 8th January 1968*

**S.O. 235.**—The following draft rules further to amend the Coir Industry Rules 1954, which the Central Government proposes to make in exercise of the powers conferred by section 26 of the Coir Industry Act, 1953 (45 of 1953), are hereby published for general information as required by sub-section (1) of the said section and notice is hereby given that the said draft will be taken into consideration on or after the 1st February, 1968.

Any objection or suggestion with respect to the draft received from any person before the aforesaid date will be considered by the Central Government

#### Draft Rules

1. These rules may be called the Coir Industry (Amendment) Rules, 1968
2. In the Coir Industry Rules, 1954,—

(i) after sub-rule (I) of rule 15, the following proviso shall be inserted, namely:—

“Provided that the Board shall be competent to enter into contracts extending over a period not exceeding three years which involve expenditure not exceeding rupees two lakhs and fifty thousand for purchase of raw materials for the powerloom factory, in accordance with the provisions of the General Financial Rules, within the sanctioned budget allotment.”;

(ii) for clause (a) of sub-rule (2) of rule 22, the following clause shall be substituted, namely:—

“(a) the power to sanction expenditure in excess of rupees ten thousand in respect of any one item, other than the item relating to purchase of the requirements of the powerloom factory”;

(iii) for sub-rule (e) of rule 25, the following sub-rule shall be substituted, namely:—

“(e) The amounts of the Board shall be kept with the Central Government in a personal deposit account at a treasury, provided that the Board may keep such amounts as may be necessary for day to day expenses with the State Bank of India or any of its subsidiaries.”.

[No. F. 15(1)-Tex(E)/67.]

A. G. V. SUBRAHMANIAM, Under Secy

(Office of the Chief Controller of Imports and Exports)

#### ORDER

New Delhi, the 27th December 1967

S.O. 236.—In exercise of the powers conferred by Clause 9 of the Import Control Order, 1955, dated 7th December, 1965, as amended, the undersigned hereby cancels the Exchange Control Purposes copy of Import Licence No. G/HP/2075018/G/XX/18/C/H/17/CG. II dated 22nd October, 1963, for Rs. 2,32,000 (Rupees two lakhs and thirty two thousand only) issued to the Executive Engineer of Irrigation Department, Faizabad. The original Exchange Control purposes copy of the licence was not utilised at all.

2. The reason for the cancellation is that the Exchange Control Purposes copy of the license has been lost/misplaced by the licensee who has requested for the issue of a duplicate licence in lieu thereof.

The Executive Engineer,  
Irrigation Department, Faizabad

[No. CG. II/HEP/U-26/63-64.]

G. S. SHARMA,  
Dy. Chief Controller of Imports and Exports  
for Chief Controller.

(Office of the Chief Controller of Imports and Exports)

#### ORDERS

New Delhi, the 28th December 1967

S.O. 237.—The managing Director, National Instruments Ltd., were granted an import licence No. G/AU/1006706/C/UR/19/C/H/19 dated 3rd July, 1964, for Rs. 2,30,000 (Rupees two lakhs and thirty thousand only). They have applied for the issue of a duplicate Customs Purposes copy of the said licence on the ground that the original Customs Purposes copy has been lost/misplaced. It is further stated that the original Customs Purpose Copy was registered with the Customs authorities at Calcutta and utilised fully. It was utilised for Rs. 2,30,000 and the balance available on it was nil.

2. In support of this contention the applicant has filed an affidavit alongwith a recommendation from Min. of Industrial Development and Company Affairs. I am accordingly satisfied that the original Customs Purposes copy of the said licence has been lost. Therefore, in exercise of the powers conferred under Sub-clause 9 (cc) of the Imports (Control) Order 1955 dated 7th December, 1955 as amended the said original Customs Purposes copy of Licence No. G/AU/1006706/C/UR/19-M-19 dated 3rd July, 1964, issued to M/s. the Managing Director,

National Instruments Ltd., Jadavpur Calcutta is hereby cancelled.

3. A duplicate Customs Purposes copy of the said licence is being issued separately to the licensee.

[No. RP/USSR-369/63-64-L1A.]

**S.O. 238.**—The Managing Director National Instruments Ltd., were granted an import licence No. G. CG. 2025169/C/UC/19/CG. II dated 8th May, 1964, for Rs. 89,17,000 (Rupees Eighty Nine lakhs, seventeen thousand only). They have applied for the issue of a duplicate Exchange Control Purposes copy of the said licence on the ground that the original Exchange Control copy has been lost/misplaced. It is further stated that the original Exchange Control Copy was registered with the Customs authorities at Calcutta and utilised fully. It was utilised for Rs. 89,17,000 and the balance available on it was nil.

2. In support of this contention, the applicant has filed an affidavit alongwith a recommendation from Ministry of Industrial Development and Company Affairs. I am accordingly satisfied that the original Exchange Control Purposes copy of the said licence has been lost. Therefore, in exercise of the powers conferred under Sub-clause 9(cc) of the Imports (Control) Order 1955 dated 7th December, 1955, as amended, the said original Exchange Control Purposes copy of Licence No. G. CG. 2025169/C/UC/19/CG. II dated 8th May, 1964, issued to M/s. Managing Director National Instruments Ltd., Jadavpur Calcutta is hereby cancelled.

3. A duplicate Exchange Control Purposes copy of the said licence is being issued separately to the licensee.

[No. CG. II 27(i)/63-64.]

G. S. SHARMA,

Dy. Chief Controller of Imports and Exports

(Office of the Dy. Chief Controller of Imports & Exports)

ORDER

Panjim, the 28th December 1967

**SUBJECT.**—Order for cancellation of Customs purposes copy and Exchange purposes copy of licence No. P/EP/2285305 C/XX/24/C/G/ 23-24/22, dated 10th March, 1967, for Rs. 3,00,000 issued in favour of M/s. Damodar Mangalji and Co Pvt. Ltd., Panjim.

**S.O. 239.**—M/s. Damodar Mangalji and Co. Pvt. Ltd. Panjim were granted an import licence No. P/EP/2285305 dated 10th March, 1967, for Rs. 3,00,000 for the import of 4 Thornycraft marine diesel engines of not less than 125 H.P., spares for marine diesel engines and spares for barges as (1) 4 Thornycraft marine diesel engines of not more than 125 H.P. for Rs. 1,50,000 and (2) spare parts and accessories for marine diesel engines and for barges for Rs. 1,50,000, for the licensing period January—March, 1967, from GCA. They have applied for duplicate copies of Customs and Exchange Control purposes of the above mentioned licence on the ground that the original Customs and Exchange purposes copy of the licence have been lost or misplaced. It is further stated that the original licence is not registered with any Customs House/Bank and not utilised.

2. In support of this contention, the applicant has filed an affidavit on stamped paper duly attested. I am satisfied that the original licence No. P/EP/2285305 dated 10th March, 1967, have been lost or misplaced and direct that a duplicate Customs purposes copy and Exchange purposes copy of licence should be issued to the applicant. The original licence No. P/EP/2285305 dated 10th March, 1967, is cancelled.

[No. 6/9(15)/66-67/EP.]

R. D. PAWAR,

Dy. Chief Controller of Imports and Exports

## (Office of the Chief Controller of Imports &amp; Exports)

## ORDER

New Delhi, the 4th January 1968

SUBJECT.—Cancellation of Customs Copy of Licence No. G/ST/2376526, dated 22nd July, 1965.

S.O. 240.—M/s. State Trading Corporation of India Ltd., New Delhi were granted an Import Licence No. G/ST/2376526, dated 22nd July, 1965. They have applied for issue of a duplicate of the licence for Customs Purposes for the outstanding balance of Rs. 98,838 only on the ground that the original has been misplaced. It is further stated that the licence was registered with Bombay Custom House and was utilised partly.

In support of this contention M/s. S.T.C. of India Ltd., New Delhi have produced an affidavit. I am satisfied that the original Customs Copy of the Licence No. G/ST/2376526 has been lost/misplaced and direct that duplicate licence (for Customs Purposes only) should be issued to M/s. S.T.C. of India Ltd., New Delhi.

The original Customs Copy of the licence is hereby cancelled

[File No. STC/USSR/28/65/66/R.M. Cell/1374.]

P. C. VERMA,

Dy. Chief Controller of Imports and Exports.

## (Office of the Chief Controller of Imports &amp; Exports)

## ORDER

New Delhi, the 8th January 1968

S.O. 241.—Messrs Kamni Engineering Corporation Ltd., Agra Road, Kuria North, Bombay-70 were granted an import licence No. P/CC/2356676/N/YY/24/C/H dated the 25th January, 1967 for Rs. 14,175/- (Rupees Fourteen thousand one hundred and Seventy five only). They have applied for the issue of a duplicate Customs Purposes copy of the said licence on the ground that the original Customs Purposes copy has been misplaced without having been registered with any Customs Authorities and utilized at all.

2. In support of this contention, the applicant has filed an affidavit to the effect that the original CCP has neither been utilized nor registered with any Customs Authorities. I am accordingly satisfied that the original Customs Purposes copy of the said licence has been lost. Therefore, in exercise of the powers conferred under Sub-clause 9 (cc) of the Imports (Control) Order 1955 dated 7th December 1955 as amended, the said original Customs Purposes copy of Licence No. P/CC/2356676/N/YY/24/C/H dated the 25th January, 1967 issued to Messrs Kamani Engineering Corporation Ltd., Bombay is hereby cancelled.

3. A duplicate Customs Purposes Copy of the said licence is being issued separately to the licensee.

[No. 92-V/12/66-67/LVC/ILS.]

S. K. USMANI,

Dy. Chief Controller of Imports and Exports.

## (Office of the Chief Controller of Imports and Exports)

## ORDER

New Delhi, the 10th January 1968

S.O. 242.—M/s. Bombay Alloys and Castings, Lake Road, Bhandup, Bombay were granted an import licence No. P/CG/2049333/C/HG/25/C/H/25/CG.IV, dated 1st August, 1967 for Rs. 13,500 (Rupees thirteen thousand and five hundred only). They have applied for the issue of duplicate Customs Purposes and Exchange Control Purposes copies of the said licence on the ground that the original Customs Purposes and Exchange Control Purposes copies have been lost/misplaced without having been utilised at all.

2. In support of this contention, the applicant has filed an affidavit I am accordingly satisfied that the original Customs Purposes and Exchange Control Purposes copies of the said licence have been lost. Therefore, in exercise of the powers conferred under Sub-clause 9(cc) of the Import (Control) Order 1955, dated 7th December, 1955 as amended, the said original Customs Purposes and Exchange Control Purposes copies of Licence No. F/CG/2049333/C/HG/25/C/H/25/CG-IV, dated 1st August, 1967, issued to M/s. Bombay Alloys & Castings, Bombay-78 are hereby cancelled.

3. Duplicate Customs Purposes and Exchange Control purposes copies of the said licence are being issued separately to the licensee.

[No. 2a(264)/65-66/CG-IV.]

Y. J. DENNISON,

Deputy Chief Controller of Imports and Exports  
For Chief Controller of Imports and Exports.

## MINISTRY OF STEEL, MINES AND METALS

(Department of Mines and Metals)

New Delhi, the 11th January 1968

S.O. 243.—Whereas by notification of the Government of India in the Ministry of Steel and Mines (Department of Mines and Metals) S.O. 3863, dated the 1st December, 1965, issued under sub-section (I) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to acquire the land in the locality specified in the schedule appended to that notification;

And whereas no objection was made to the acquisition of land aforesaid;

And whereas the Central Government after previous consultation with the Government of Madhya Pradesh that the land measuring 35.00 acres or 14.17 hectares (approx.) described in schedule appended hereto, should be acquired;

Now, therefore, in exercise, of the powers conferred by sub-section (I) of section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby declares that the land measuring 35.00 acres or 14.17 hectares (Approx.) described in the schedule appended hereto shall be acquired.

NOTE.—The plan of the area covered by this notification may be inspected in the office of the Collector, Sahdol or in the office of the Coal Controller, I, Council House Street, Calcutta or in the office of the National Coal Development Corporation Limited (Revenue Section) Darbhanga House, Ranchi.

### SCHEDULE

#### SUB-BLOCK I

#### MAHUBARI KHURD BLOCK (Sohagpur Coalfield)

DRG. No. Rev/25/67

Dated 8th September, 1967.

(Shaving Lands acquired) 2

#### ALL RIGHTS

Sl. No.	Village	Tahsil	Village No.	District	Area	Remarks
IV	Mahubari Khurd	Sohagpur	845	Sahdol	Part	
						Total—18.00 Acres (Approx.) or 7.29 Hectares (Approx.)



Plot Nos. Acquired in village Mahubari Khurd:—

651(P), 652(P), 653(P), 654, 655(P), 656(P) and 658(P).

**BOUNDARY DESCRIPTION:—**

A-B line passes through plot Nos. 651 and 652 in village Mahubari Khurd and meets at point 'B'.

\*B-C-D line pass through plot Nos. 652, 653, 655 and 656 in village Mahubari Khurd (which is also the part common boundary of Bijuri Block VII acquired u/s 9(1) of the Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. No. 2978, dated 17th September, 1962 and meets at point 'D'.

D-E line passes through plot Nos. 656 and 658 in village Mahubari Khurd and meets at point 'E'.

E-F line passes along the part western boundary of plot No. 669 in village Mahubari Khurd and meets at point 'F'.

F-G-A line pass through plot Nos. 658 and 651 in village Mahubari Khurd and meets at point 'A'.

**SUB-BLOCK- II**

**ALL RIGHTS**

Sl. No	Village	Tahsil	Village No.	District	Area	Remarks
I	Mahubari Khurd.	Sohagpur	845	Sahdol		Part
Total —17.00 Acres (Approx.) or 6.88 Hectares (Approx.)						

Plot Nos. Acquired in village Mahubari Khurd:—

657(P), 658(P) and 659(P).

**BOUNDARY DESCRIPTION:—**

H-I line passes through plot Nos. 658 and 657 in village Mahubari Khurd and meets at point 'I'.

I-J line passes through plot No. 657 in village Mahubari Khurd (which is also the part common boundary of Bijuri Block-VII acquired u/s 9(1) of the Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. No. 2978, dated 17th September, 1962 and meets at point 'J'.

J-K-L lines pass through plot Nos. 657, 658 and 659 in village Mahubari Khurd and meets at point 'L'.

L-M line passes along the part Northern boundary of Rly. line in village Mahubari Khurd and meets at point 'M'.

M-N line passes along the part common boundary of plot Nos. 659 and 661 in village Mahubari Khurd and meets at point 'N'.

N-O-P-H lines pass through plot Nos. 659 and 658 in village Mahubari Khurd and meet at point 'H'.

[No. C2-20(21)/67.]

M. S. K. RAMASWAMI, Dy. Secy.

**MINISTRY OF PETROLEUM AND CHEMICALS**

(Department of Petroleum)

**ERRATA**

New Delhi, the 10th January 1968

**S.O. 244.**—In notification of Government of India in the Ministry of Petroleum and Chemicals S.O. No. 568 dated the 1st February, 1965 published in the

Gazette of India Part II Section 3 in the Sub-section (ii) dated the 13th February, 1965.

At page 640 at Village Oda of S No. 155  
Read For

Hector	Acre	P. Acre	A.	G.	Sq.	Yds.
0	22	43	0	0	117	

[No. 31(41)/64-IOC/Vol.II.]

New Delhi, the 11th January 1968

**S.O. 245.**—In notification of Government of India in the Ministry of Petroleum & Chemicals S. O. No. 2995 dated the 16th September, 1966 published in the Gazette of India Part II Section 3 in the Sub-section (ii) dated the 8th October, 1966.

At page No. 2848 at Village Vajazar of S. No. 134.  
Read For

Hector	Acre	P. Acre	A.	G.	Sq.	Yds.
0	0	80	0	17	04	

[No. F. 31/41/64-Prod (Vol. 2).]

New Delhi, the 15th January 1968

**S.O. 246.**—In pursuance of clause (a) of Section 2 of the Petroleum Pipelines (Acquisition of Right of User in land) Act 1962 (50 of 1962), the Central Government hereby authorises the authority mentioned in column (1) of the Schedule below to perform the functions of the competent authority under the said Act within the limits of the State mentioned in the corresponding entry in column (3) of the said Schedule.

Authority	Address	Territorial Jurisdiction
(1) Deputy Commissioner	(2) Dibrugarh, Lakhimpur District, Assam State	(3) State of Assam

[No. 28/1/68-IOC.]

P. P. GUPTA, Under Secy.

## MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND CO-OPERATION

### (Department of Cooperation)

New Delhi, the 5th January 1968

**S.O. 247.**—In exercise of the powers conferred by Section 5B of the Multi-Unit Cooperative Societies Act, 1942 (6 of 1942), and in supersession of the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Cooperation) Notification No. 7-13/66-Credit dated the 15th December, 1966, the Central Government hereby directs that the following amendment shall be made in the Notification of the Government of India in the former Ministry of Community Development and Cooperation (Department of Cooperation) No. S.O. 1593, dated the 28th June, 1961, published at page 1555 of Part II, Section 3 (ii) of the Gazette of India of the 8th July, 1961, namely:—

In the said Notification against serial No. 15 for the entry 'Shri R. N. Sengupta', the entry "Shri N. Krishnamurthi" shall be substituted.

[No. 7-13/66-Credit.]

New Delhi, the 8th January 1968

**S.O. 248.**—In exercise of the powers conferred by Section 5B of the Multi-Unit Cooperative Societies Act, 1942 (6 of 1942) and in supersession of the former Ministry of Community Development and Cooperation (Department of Cooperation) Notification No. 3-14/64-CT dated the 7th April, 1965, the Central Government hereby directs that the following amendment shall be made in the Notification of the Government of India in the former Ministry of Community Development and Cooperation (Department of Cooperation) No. S.O. 1593, dated the 28th June, 1961 published at page 1555 of Part II, Section 3(ii) of the Gazette of India of the 8th July, 1961, namely:—

In the said Notification against the existing entry at S. No. 20, the entry 'Shri M. Sriramulu' shall be substituted.

[No. 7-13/66-Credit.]

V. V. NATHAN, Dy. Secy.

## (Department of Agriculture)

New Delhi, the 6th January 1968

**S.O. 249.**—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules, the same having been previously published namely.—

**1 Short title and application.**—(1) These rules may be called the Fennel (Whole and Ground), Fenugreek (Whole and Ground) and Celery Seeds (Whole) Grading and Marking Rules, 1967.

(2) They shall apply to the Fennel (Whole and Ground) (*Foeniculum Vulgare* Mill), Fenugreek (Whole and Ground) (*Trigonella foenum-graecum* L.) and Celery Seed (Whole) (*Apium graveolens* L.) grown in India.

**2 Definitions.**—In these rules—

(1) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India

(2) "Schedule" means a Schedule appended to these rules

**3. Grade designations.**—Grade designations to indicate the quality of the seed shall be as set out in column 1 of Schedules II to VI.

**4. Definition of quality.**—The quality indicated by the respective grade designations and the general characteristics shall be as set out against each grade designation in columns 2 to 7 and 8 respectively of Schedule II, columns 2 to 4 and 5 respectively of Schedules III and V, columns 2 to 6 and 7 respectively of Schedule IV and columns 2 to 4 and 5 respectively of Schedule VI.

**5 Grade designation marks.**—(i) The grade designation marks in the case of Fennel (Whole and Ground) or Fenugreek (Whole and Ground) or Celery Seed (Whole) packed in polythene and/or paper bags shall consist of a design incorporating the number of Certificate of Authorisation, the word 'AGMARK' and the grade approved by the Agricultural Marketing Adviser.

(ii) The grade designation mark in the case of Fennel (Ground) or Fenugreek (Ground), packed in tins or glass bottles shall consist of a paste-on label, specifying the grade designation and bearing the design consisting of an outline map of India with the word 'Agmark'

(iii) The grade designation mark in the case of Fennel Seeds (Whole and Ground), or Fenugreek (Whole and Ground) or Celery Seeds (Whole) packed in containers of jute or cloth as well in containers in which sealed polythene bags of graded Fennel (Whole and Ground) or Fenugreek (Whole and Ground) or Celery Seeds (Whole) are packed shall consist of a label, specifying the grade designation and bearing the design (consisting of an outline map of India with the word 'Agmark' and the figure of the rising sun, with the 'Produce of India' and (भारतीय उत्पादन) resembling the one as set out in Schedule I.

**6. Method of marking**—(1) The grade designation mark shall be securely affixed to or printed on each container in a manner approved by the Agricultural Marketing Adviser

(2) In addition to the above, the following particulars shall also be clearly and indelibly marked on each container—

(i) Date of packing in code or plain letters.

(ii) Lot number.

(iii) Net weight

(3) An authorised packer may, after obtaining the prior approval of the Agricultural Marketing Adviser, mark his private trade mark on a container, in a manner approved by the said officer provided that the private trade mark does not represent a quality or grade different from what is indicated by the grade designation mark affixed to the container in accordance with these rules.

**7 Method of packing.**—(1) Only sound, clean and dry containers made of jute, cloth, paper or polythene shall be used for packing. They shall be free from any insect infestation or fungus contamination and also free from any undesirable smell.

(2) The containers shall be securely closed and sealed in a manner approved by the Agricultural Marketing Adviser.

(3) Each package shall contain Fennel (Whole and Ground) or Fenugreek (Whole and Ground) or Celery Seeds (Whole) of one grade designation only.

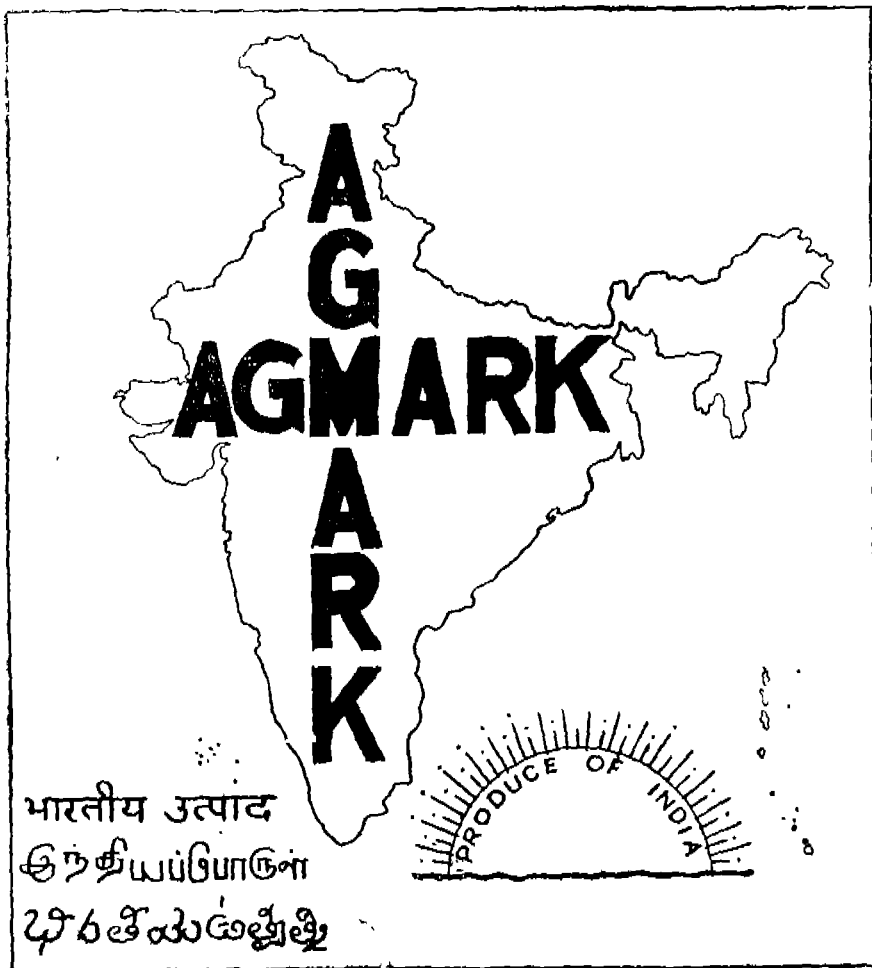
8. **Special conditions of Certificate of Authorisation.**—In addition to the conditions specified in rule 4 of the General Grading and Marking Rules, 1937, the following special conditions shall be observed by packers to the satisfaction of the Agricultural Marketing Adviser.

(i) an authorised packer shall make such arrangements for testing Fennel (Whole and Ground) or Fenugreek (Whole and Ground) or Celery (Whole), as may be prescribed from time to time by the Agricultural Marketing Adviser.

(ii) An authorised packer shall provide all facilities, as may be necessary to the Inspecting Officer, duly authorised by the Agricultural Marketing Adviser in this behalf.

**SCHEDULE I**

(See Rule 5)



SCHEDULE II

(See Rules 3 and 4)

Grade designations and definition of the quality of Fennel seeds grown in India

Grade Designation	Special Characteristics						General Characteristics
	Colour	Inorganic foreign matter % by wt. Max.	Organic foreign matter % by wt. Max.	Damaged discoloured & weevilled seeds % by wt. Max.	Shriveled & Immature seeds % by wt. Max.	Moisture % by wt. Max.	
1	2	3	4	5	6	7	8
Special	Dark green	0.25	1.5	1.5	2.0	11.0	Fennel Seeds shall :— (a) be the dried ripe fruits of <i>Foeniculum Vulgare</i> , Mill ;
Good	Green	0.5	3.0	4.0	3.0	11.0	(b) be free from visible mould or insect infestation ;
Fair	Mixed	1.0	4.0	6.0	5.0	11.0	(c) be reasonably dry and free from musty odour ; and (d) have the characteristic size, shape, colour, taste, and aroma normal to the variety/type.

Definition:—

1. Inorganic foreign matter :—Includes dust, sand, stone, lumps of earth and other dirt.
2. Organic foreign matter :—Includes stems, seeds and other vegetable matter.
3. Damaged and Discoloured :—Seeds that are damaged or discoloured, damage and discolouration materially affecting the quality.
4. Weevilled :—Seeds that are partially or wholly bored or eaten by weevil or any other insect.
5. Shriveled and Immature :—Seeds that are not properly developed.

Note:—Fennel seeds shall also comply with the requirements provided under the Prevention of Food Adulteration Act, 1954 and the rules framed thereunder.

SCHEDULE III

(See Rules 3 and 4)

Grade designation and definition of Fennel powder.

Grade Designation	Moisture % by wt. Max.	Total Ash % by wt. Max.	Acid insoluble ash % by wt. Max.	General Characteristics
1	2	3	4	5
Standard	12.0	9.0	2.0	Fennel powder shall be the material obtained by grinding the dried ripe Fennel fruits whole. It shall be free from admixture, from mould growth, insect infestation or musty odour. It shall be free from coarse particles and ground to such a fineness that the whole of it passes through 500 micron sieve.

## SCHEDULE IV

(See Rules 3 and 4)

Grade designations and definition of quality of Fenugreek Seeds (Methi dana) grown in India

Grade Designation	Special Characteristics					General Characteristics
	Inorganic foreign matter % by wt. Max.	Organic foreign matter % by wt. Max.	Damaged, Discoloured & Weevilled seeds % by wt. Max.	Shrivelled & Immature green seeds % by wt. Max.	Moisture % by wt. Max.	
1	2	3	4	5	6	7
Special	·25	0·5	0·5	1·5	10·0	Fenugreek (Methi) seeds shall :—
Good	0·5	1·5	1·0	3·0	10·0	(a) be the dried mature seeds of <i>Trigonolla foenum-graecum</i> L ;
Fair	1·0	2·5	1·5	5·0	10·0	(b) have the characteristic size, shape, odour, taste and aroma, normal to the variety/type ; (c) be clean, wholesome and free from visible mould and insects, living or dead, and (d) be free from off smell.

## Definitions :

1. Inorganic foreign matter:—Includes dust, sand, stone, earth and other dirt.
2. Organic foreign matter:—Includes stems and other foreign organic matter.
3. Damaged and discoloured:—Seeds that are damaged or discoloured, damage and discolouration materially affecting the quality.
4. Shrivelled and Immature—Seeds that are not properly developed.
5. Weevilled:—Seeds that are partially or wholly bored or eaten by weevil or other insects.

Note :—Fenugreek seeds shall also comply with the requirements provided under the Prevention of Food Adulteration Act, 1954 and the rules framed thereunder.

## SCHEDULE V

(See Rules 3 and 4)

Grade designation and definition of Fenugreek powder

Grade Designation	Moisture % by wt. Max.	Total ash % by wt. Max.	Acid insoluble ash % by wt. Max.	General Characteristics
1	2	3	4	5
Standard	10·0	7·0	2·0	Fenugreek powder shall be the material obtained by grinding the dried ripe Fenugreek seeds, whole. It shall be free from admixture, free from mould growth, insect infestation or musty odour. It should be free from coarse particles and ground to such a fineness that the whole of it passes through a 500 micron sieve.

SCHEDULE VI

(See Rules 3 and 4)

Grade designations and definition of quality of Celery seeds, grown in India

Grade Designation	Special Characteristics			General Characteristics
	Extraneous matter % by wt. Max.	Damaged and Foreign seeds % by wt. Max.	Moisture % by wt. Max.	
1	2	3	4	5
Special	0.5	1.5	10.0	Celery seeds shall :— (a) be the dried ripe fruits of <i>Apium Graveolens L.</i> ; (b) have the characteristics, shape, size, colour, taste and aroma, normal to the species ; (c) shall be free from musty odour, mould, living or dead insects, and other harmful foreign matter ; and (d) be reasonably dry.
Good	1.5	2.5	10.0	
Fair	3.0	3.0	10.0	

Definitions :—

1. Extraneous matter :—Includes dust, dirt, stones, clay particles, chaff, stem or straw and other extraneous matter.
2. Damaged Seeds :—Discoloured, shrivelled and immature seeds.
3. Foreign seeds :—Seeds other than those of *Apium graveolens L.*

Note —Celery seeds shall also comply with the requirements provided under the Prevention of Food Adulteration Act, 1954 and the rules framed thereunder.

[No. F. 13-1/67-AM]

V. S. NIGAM, Under Secy.

DEPARTMENT OF COMMUNICATIONS

(P. & T. Board)

New Delhi, the 26th December 1967

S.O.250.—In exercise of the powers conferred by Sub-rule (2) of Rule 9 clause (b) of sub-rule (2) of rule 12, and sub-rule (1) of rule 24, read with rule 34, of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 the President hereby makes following further amendments in the notification of the Government of India in the late Ministry of Communications (Posts and Telegraphs) No. S.R.O. 620 dated the 28th February, 1967, namely:—

In the Schedule to the said notification, in Part II General Central Service, Class III, under the heading "Posts and Telegraphs Training Centre and Postal Training Centre", after the words "Instructor in Higher and Lower Selection Grades" in column 1, the following words shall be inserted, namely:—

"Instructor in the cadre of Inspectors of Post Offices and Railway Mail Service".

[No 44/1/67-Disc.]

D. K. AGARWAL,  
Asstt. Director General

## (P. &amp; T. Board)

New Delhi, the 5th January 1968

**S.O. 251.**—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director-General, Posts and Telegraphs, hereby specifies the 1st February 1968 as the date on which the Measured Rate System will be introduced in Sopore & Baramulla Telephone Exchanges.

[No. 5/25/67-PHB(18).]

**S.O. 252.**—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director-General, Posts and Telegraphs, hereby specifies the 1st February 1968 as the date on which the Measured Rate System will be introduced in Sivakasi Telephone Exchange.

[No. 5/65/67-PHB(3).]

**S.O. 253.**—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director-General, Posts and Telegraphs, hereby specifies the 1st February 1968 as the date on which the Measured Rate System will be introduced in Gudivada Telephone Exchange.

[No. 5/61/67-PHB(5).]

D. R. BAHL,

Asstt. Director General (PHB).

## संज्ञार विभाग

(डाक-तार बोर्ड)

नई दिल्ली, 5 जनवरी 1968

**स्थायी आदेश क्रम संख्या 254.**—स्थायी आदेश क्रम संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गए 1951 के भारतीय तारनियमों के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने सोपोर और बारामूला टेलीफोन केन्द्रों में 1-2-68 से प्रमापित दर प्रणाली लागू करने का निश्चय किया है।

[सं० 5-25/67-पी० एच० बी० (18)]

**स्थायी आदेश क्रम संख्या 255.**—स्थायी आदेश क्रम संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गए 1951 के भारतीय तारनियमों के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने सिवाकासी टेलीफोन केन्द्र में 1-2-68 से प्रमापित दर प्रणाली लागू करने का निश्चय किया है।

[सं० 5-64/67 पी० एच० बी० (3)]

**स्थायी आदेश क्रम संख्या 256.**—स्थायी आदेश क्रम संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गए 1951 के भारतीय तारनियमों के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने गुदीवाड़ा टेलीफोन केन्द्र में 1-2-68 से प्रमापित दर प्रणाली लागू करने का निश्चय किया है।

[सं० 5-61/67 पी० एच० बी० (5)]

डी० आर० बहल

सहायक महानिदेशक (पी० एच० बी०)



## MINISTRY OF IRRIGATION AND POWER

*New Delhi, the 13th December 1967*

**S.O. 257**—In exercise of the powers conferred by section 3 of the Electricity (Supply) Act, 1948 (54 of 1948) and in partial modification of the notification No. EL-II-28(15)/67, dated the 31st October, 1967, the Central Government hereby appoints Shri S. Balakrishnan, Joint Secretary and Legal Adviser, Ministry of Law as a Member of the Central Electricity Authority *vice* Shri V. S. Deshpande.

[No. EL-II-28(15)/67]

K. P. MATHRANI, Secy.

### सिचाई व बिजली संत्रालय

नई दिल्ली, 13 दिसम्बर, 1967

**एस० ओ० 258.**—बिजली (पूर्ति) अधिनियम, 1948 (1948 का 54) की धारा 3 द्वारा प्रदत्त शक्तियों की परिपालना में तथा अधिसूचना संख्या ई० एल० 2-28 (15)/67, दिनांक 31 अक्तूबर, 1967 का अंशतः सशोधन करते हुए केन्द्रीय सरकार एतद्वारा श्री एस० बालकृष्णन, संयुक्त सचिव व वैधिक सलाहकार, विधि मन्त्रालय को श्री बी० एस० देशपाण्डे के स्थान पर केन्द्रीय बिजली प्राधिकार में सदस्य के रूप में नियुक्त करती है।

[संख्या ई० एल० 2-28(15)/67]

के० पी० मथरानी,

सचिव, भारत सरकार।

## MINISTRY OF TRANSPORT AND SHIPPING

(Directorate General of Shipping)

MERCHANT SHIPPING

*Bombay, the 8th January 1968*

**S.O. 259**—In exercise of the powers conferred by sub-section (3) of section 7 of the Merchant Shipping Act, 1958 (44 of 1958), read with the notification of the Government of India in the Ministry of Transport and Shipping No. S.O. 3539 dated the 25th September, 1967, the Director General of Shipping, with the previous approval of the Central Government, hereby directs that the power exercisable by him under or in relation to sub-section (1) of section 299A of the said Act shall be exercisable with immediate effect also by the Principal Officer of the Mercantile Marine Department of the district concerned, or, in his absence, by the Surveyor who carries out his duties.

[No. 9-SL(1)/67.]

K. C. MADAPPA,

Director General of Shipping.

(Transport Wing)

*New Delhi, the 9th January 1968*

**S.O. 260.**—In exercise of the powers conferred by sub-section (1) of section 15 of the Merchant Shipping Act, 1958 (44 of 1958), read with rules 3 and 9 of the Shipping Development Fund Committee (General) Rules, 1960, the Central Government hereby appoints Shri R. Doraiswamy, Joint Secretary to the Government of India, Ministry of Transport & Shipping, as a Member of the Shipping Development Fund Committee with effect from the 4th January, 1968, and makes

the following amendment in the notification of the Government of India in the Ministry of Transport (Transport Wing), S.O. 1047, dated the 26th March, 1965, namely:—

In the said notification, after serial No 5 and the entries relating thereto, the following serial number and entries shall be inserted, namely:—

S.  
No.

Name of the Member

Date of appointment

“6. Shri R. Doraiswamy, Joint Secretary to the Govern- 4th January, 1968”  
ment of India, Ministry of Transport & Shipping.

[No. 35-MD(22)/66]

*New Delhi, the 11th January 1968*

**S.O. 261.**—In exercise of the powers conferred by section 4 of the Merchant Shipping Act, 1958 (44 of 1958), read with rule 3 of the National Shipping Board Rules, 1960, the Central Government hereby appoints Rear-Admiral N. Krishnan as a member of the National Shipping Board, to represent the Central Government on that Board and makes the following further amendment in the notification of the Government of India in the Ministry of Transport and Shipping (Transport Wing) S.O. 2319, dated the 6th July, 1967, namely:—

In the said notification, against serial No. 10-A, for the entry ‘Rear Admiral S. N. Kohli’, the entry ‘Rear-Admiral N. Krishnan’ shall be substituted.

[No. 37 MD(4)/67.]

JASWANT SINGH, Under Secy.

### (Transport Wing)

*New Delhi, the 12th January 1968*

**S.O. 262.**—In exercise of the powers conferred by sub-section (1) of section 63-A of the Motor Vehicles Act, 1939 (4 of 1939), the Central Government hereby appoints Shri K. Basanna, Chief Engineer, Mysore as Member of the Inter State Transport Commission and makes the following further amendment in the notification of the Government of India in the Ministry of Transport and Shipping (Transport Wing) No. 23-T(11)/67, dated the 28th October, 1967, namely:—

In the said notification, after item (4), the following item shall be, added, namely:—

“(5) Shri K. Basanna, Chief Engineer (Communications and Buildings), Bangalore—Member”.

[No. 23-T(11)/67.]

B. M. MAZUMDAR, Under Secy.

## MINISTRY OF INFORMATION AND BROADCASTING

*New Delhi, the 9th January 1968*

**S.O. 263.**—In exercise of the powers conferred by Section 5(1) of the Cinematograph Act, 1952 and sub-rule (3) of rule 8 read with sub-rule 2 of rule 9 of the Cinematograph (Censorship) Rules, 1958, the Central Government hereby

appoints Dr. (Kum) Rose Farias after consultation with Central Board of Film Censors, as a member of the Advisory Panel of the said Board at Bombay with immediate effect.

[No. F. 11/2/68-FC.]

H. C. KHANNA, Dy. Secy.

**MINISTRY OF HEALTH, FAMILY PLANNING & U.D.**

**(Department of Health)**

*New Delhi, the 8th January 1968*

**S.O. 264.**—In the matter of Charitable Endowments Act, 1890 and in the matter of "the Lady Hardinge Hospital for Women and Children, Delhi Fund".

On the application of, and with the concurrence of the Board of Administration for the "Lady Hardinge Hospital for Women and Children Delhi, Fund" and in exercise of the powers conferred on it by Section 4 of the Charitable Endowments Act, 1890 (6 of 1890), the Central Government doth hereby order that the sum of Rs. 1200.00 invested in the 4½% Defence Deposit Certificate No. DH 007347 of the 5th April, 1966 shall vest in the Treasurer of Charitable Endowments for India.

[No. 4-16/67 ME(UG).]

V. K. SAMANTROY, Under Secy.

**(Department of Health)**

*New Delhi, the 10th January 1968*

**S.O. 265.**—Whereas the Central Government have, in pursuance of the provisions of clause (a) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) nominated, in consultation with the Government of Assam, Dr. T Bhaskara Menon, Director of Health Services and Director of Health Planning and Education, Assam, to be a member of the Medical Council of India with effect from the 16th October, 1967 vice Dr. A. B. Roy resigned;

And, whereas, in pursuance of the provisions of clause (b) of sub-section (1) of section 3 of the said Act, Dr. Ramji Das, M.S., Principal, Government Medical College, Patiala, has been elected by the Senate of the Punjabi University to be a member of the said Council with effect from the 23rd September, 1967 vice Dr. Amarjit Singh who has ceased to be a member under sub-section 3 of section 7 of the said Act;

Now, therefore, in pursuance of the provisions of sub-section (1) of section 3 of the said Act, the Central Govt. hereby makes the following further amendments in the notification of the Government of India in the late Ministry of Health No. 5-13/59-MI, dated the 9th January, 1960, namely:—

In the said notification

- (i) under the heading "Nominated under clause (a) of sub-section (1) of section 3", for the entry against serial No. 9, the following entry shall be substituted, namely:—

'Dr. T. Bhaskara Menon, Director of Health Services and Director of Health Planning and Education, Assam'.

- (ii) under the head "Elected under clause (b) of sub-section (1) of section 3", for the entry against Serial No. 28, the following entry shall be substituted, namely:—

"Dr. Ramji Das, M.S., Principal, Government Medical College, Patiala."

[No. F. 4 26/67 MPT.]

## ORDERS

*New Delhi, the 11th January 1968*

**S.O. 266.**—Whereas the Government of India in the late Ministry of Health has, by notification No. 16-30/61-MI, dated the 26th July, 1962, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification Doctor of Medicine granted by the University of Oklahoma, United State of America for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies a further period of two years with effect from the 1st July, 1967 or so long as Dr. R. J. Garst who possesses the said qualification, continues to work in the Christian Medical College and Hospital, Ludhiana to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. R. J. Garst shall be limited. Provided that during this period he continues to be enrolled as a medical practitioner in accordance with the law regulating the registration of medical practitioners in his country

[No. F. 19-34/67 MPT.]

**S.O. 267.**—Whereas the Government of India in the late Ministry of Health has been by notification No. 16-12/60-MI, dated the 9th January, 1961, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification M.D. granted by the Western Reserve University, Cleveland Ohio (USA) for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of two years with effect from the date of this order or so long as Dr. John H. Bauman who possesses the said qualification, continues to work in the Christian Medical College Hospital, Vellore to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. John H. Bauman shall be limited; provided that during this period he continues to be enrolled as a medical practitioner in accordance with the law regulating the registration of medical practitioners in his own country.

[No. F. 19-52/67 MPT.]

**S.O. 268.**—Whereas the Government of India in the late Ministry of Health has, by notification No. 16-44/61-MI, dated the 23rd July, 1962, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "ARTSEXAMEN" (i.e. Diploma Medical Faculty) University of Amsterdam for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies a further period of two years with effect

from the 4th August, 1966, or so long as Dr. A. W. F. Rutgers who possesses the said qualification, continues to work in the Leprosy Centre, C.S.I. Guledgudd Distt. Bijapur, to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. A. W. F. Rutgers shall be limited subject to the condition that the said doctor continues to be enrolled as a medical practitioner for the said period in accordance with the law regulating the registration of medical practitioners in his country.

[No. F. 19-39/67-MPT.]

**S.O. 269.**—Whereas the Government of India in the late Ministry of Health has, by notification No. 5-10/59-MI, dated the 1st April, 1960 made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification M.D. granted by the North Western University, Chicago, Illinois U.S.A. for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period commencing from the date of this order and ending on the 1st July, 1968, so long as Dr. Charles V. Perrill, who possesses the said qualification, continues to work in the Creighton—Freeman Christian Hospital, Vrindaban Uttar Pradesh to which he is attached for the time being for the purposes of teaching research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Charles V. Perrill shall be limited.

Provided that during this period he continues to be enrolled as a medical practitioner in accordance with the law regulating the registration of medical practitioners in his own country.

[No. F. 19-44/67-MPT(A).]

**S.O. 270.**—Whereas the Government of India in the late Ministry of Health has, by notification No. 16-12/60-MI dated the 9th January, 1961, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification M.D. granted by the Western Reserve University, Cleveland, Ohio, (USA) for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies a further period of two years with effect from the 14th October, 1967, or so long as Dr. Symon Satow who possesses the said qualification, continues to work in the Frances Newton Hospital, Ferozpur to which he is attached for the time being for the purposes of teaching, research or charitable work whichever is shorter, as the period to which the medical practice of the said Dr. Symon Satow shall be limited provided that during this period he continues to be enrolled as a medical practitioner in accordance with the law regulating the registration of medical practitioners in his own country.

[No. F. 19-54/67-MPT.]

*New Delhi, the 12th January 1968*

**S.O. 271.**—Whereas the Government of India in the late Ministry of Health has, by notification No. F. 16-14/59-MI, dated the 30th March, 1960 made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "M.D." granted by the Baylor University, United States of America, for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of two years with effect from the date of this order or so long as Dr. Maynard Seaman who possesses the said qualification, continues to work in the Herbertpur Christian Hospital, Herbertpur, Distt. Dehradun (Uttar Pradesh) to which he is attached for the time being for the purposes of teaching research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Maynard Seaman shall be limited.

Provided that during this period he continues to be enrolled as a medical practitioner in accordance with the law regulating the registration of medical practitioners in his own country.

[No. F. 19-56/67-MPT.]

**S.O. 272.**—Whereas the Government of India in the late Ministry of Health has, by notification No. 172/60-MI, dated the 22nd April, 1960, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification M.D (Pennsylvania, USA) for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies a further period of two years with effect from the 31st August, 1966, or so long as Dr. W. M. Bond who possesses the said qualification, continues to work in the Wanless Hospital, Miraj, Distt. Sangli to which he is attached for the time being for the purposes of teaching research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. W. M. Bond shall be limited, subject to the condition that during the said period, he continues to be enrolled as a medical practitioner in accordance with the law regulating the registration of medical practitioners in his country.

[No. F. 19-49/67-MPT.]

L. K. MURTHY, Under Secy.

## CENTRAL BOARD OF EXCISE AND CUSTOMS

### CUSTOMS

*New Delhi, the 20th January 1968*

**S.O. 273.**—In exercise of the powers conferred by Section 9 of the Customs Act, 1962 (52 of 1962), and in supersession of the notification of the Government of India, Central Board of Excise and Customs, No. 102/67 dated 21st October, 1967, the Central Board of Excise and Customs hereby declares the following place in the State of Haryana to be a warehousing station, namely:—

“Faridabad—Ballabgarh controlled Arcas as declared under section 4 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963).”

[N. 7/68-Customs-F. No. 3/48/67-Cus. VII.]

M. S. SUBRAMANYAM, Under Secy.

# MINISTRY OF INDUSTRIAL DEVELOPMENT & COMPANY AFFAIRS

(Department of Industrial Development)

## ORDER

New Delhi, the 8th January 1968

**S.O. 274/IDRA/.**—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with rules 2, 4 and 5 of the Development Councils (Procedure) Rules, 1952, the Central Government hereby appoints, for a period of two years with effect from the date of this order the following persons to be members of the Development Council for the Scheduled Industries engaged in the manufacture or production of Oils, Detergents and Paints, including cosmetics and Toilettries, in place of member appointed under the late Ministry of Industry and Supply Order No. SO/157/DRA/6/13 dated the 31st December, 1964 as amended from time to time, whose term of office has expired by efflux of time or otherwise:—

### *Development Council for Oils, Detergents and Paints.*

1. Shri C. H. Choksey, M/s. Asian Oil and Paints (I) P. Ltd.—Das Chambers, 25, Dalal Street, Bombay-1 B. R. *Chairman*.
2. Shri G. V. Swaika, M/s. Swaika Oil Mills, PNB House, 18-B, Brabourne Road, Calcutta-1.
3. Shri M. P. Mansingka, M/s. Mansingka Industries P. Ltd, Pachera (Maharashtra).
4. Shri J. J. Tanna, M/s. Jamnadas Madhavji, 11-A Wode House Road, Bombay-1.
5. Shri K. H. Patil, Vishal Karnatak Building, Club Road, Hubli, Distt. Dharwar, Mysore.
6. Shri S. N. Agarwal, M/s. Prag Ice and Oil Mills, Aligarh.
7. Shri S. B. Goenka, M/s. Foods, Fats and Fertilizers Ltd., Tanku Road, Tadeppalligudem, West Godavari Dt., Andhra Pradesh.
8. Dr. D. P. Godrej, M/s. Godrej Soaps Pvt. Ltd., Eastern Express Highway, Vikhereli, Bombay-77.
9. Shri F. Korner, Managing Director, M/s. East Asiatic Co., (I) P. Ltd., Mercantile Bank Building, 16 First Line Beach, P.B. No. 146, Madras.
10. Shri R. Ramaswamy, M/s. Hindustan Lever Ltd., Hindustan Lever House, Backbay Reclamation, Fort, Bombay-1.
11. Shri M. A. Wadud, M/s. Tata Oil Mills Co., Ltd., Bruce Street, Fort, Bombay-1.
12. Shri D. M. Netarwala, M/s. Dai-Ichi-Karkaria P. Ltd., Liberty Building, New Marine Lines, Bombay.
13. Shri T. N. Khaitan, Director, M/s. Kusum Products Ltd., Bombay Mutual Building, No. 1, Brabourne Road, Calcutta-1.
14. Shri S. Jalan, M/s. Asiatic Soap Co., 8, Dalhousie Square, Calcutta.
15. Shri M. A. Basyth, M/s. Desl Soap Works, Sampangi Tank Road, Bangalore.
16. Shri Jagmohan Saran, M/s. Modi Vanaspathi Mfg., Co., Ltd., Modinagar, Meerut.
17. Shri M. N. Rao, M/s. British Paints Ltd., Calcutta.
18. Shri K. S. Sundaram, M/s. Addison Paints and Chemicals Ltd., Huzur Gardens, Sembiam, Madras-11.
19. Shri R. K. Marafatia, M/s. Goodlass Nerolac Paints P. Ltd., Morbes Building, Home Street, Bombay-1 (BR).
20. Shri Norman L. Contractor, M/s. Rainbow Ink and Varnish Co., Ltd., 133 C, Vakola, Santa Cruz, Bombay-55.
21. Shri J. B. Bijur, M/s. Chowgule and Co., Ltd., India House, Fort Street, Bombay-1.
22. Shri C. K. Agarwal, Ganges Printing Ink Factory, Howrah, West Bengal.
23. Shri R. S. Tripathi, General Sales Manager, M/s. Jenson and Nicholson (India) Ltd., 225, Lower Circular Road, Calcutta-20.

24. A representative to be nominated by the Development Commissioner, SSI, New Delhi.
25. A representative of the CSIR, New Delhi.
26. A representative of the Ministry of Labour.
27. A representative of the Ministry of Food, Agriculture, Community Development and Co-operation (Dte. of Sugar and Vasaspati).
28. Shri R. K. Rangan, Deputy Secretary, Ministry of Industrial Development and Company Affairs (Department of Industrial Development), New Delhi.
29. Shri S. Sundarrajan, Deputy Secretary, Ministry of Petroleum and Chemicals (Deptt. of Chemicals), New Delhi.

*Member-Secretary*

30. Shri K. N. R. Sharma, Development Officer, Dte. General of Technical Development, New Delhi.

[No. 24(6)/66-LI(I).]

A. K. ROY, Jt. Secy.

### औद्योगिक विकास तथा समवाय कार्य मंत्रालय

(औद्योगिक विकास विभाग)

#### आदेश

नई दिल्ली, 8 जनवरी, 1968

एस० ओ० 275 आई० डी० आर० ए०.—उद्योग (विकास तथा विनियमन) अधिनियम, 1951 (1951 का 65) की धारा 6 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा विकास परिषद् (प्रक्रिया सम्बन्धी) नियम, 1952 के नियम 2, 4 और 5 के साथ पढ़ते हुए, भूतपूर्व उद्योग तथा सम्भरण मंत्रालय द्वारा समय-समय पर संशोधित आदेश संख्या एस० ओ० 157/आई० डी० आर० ए०/6/13, दिनांक 31 दिसम्बर 1964 के अधीन नियुक्त सदस्यों के स्थान पर जिनकी कार्यविधि व्यतीत हो जाने के कारण अथवा अन्यथा समाप्त हो गयी है, केन्द्रीय सरकार एतद्वारा इस आदेश के जारी होने की तारीख से दो वर्षों के लिए निम्नलिखित व्यक्तियों को तेल, अपमार्जक तथा पेट अंगराग तथा शृंगार प्रसाधों को सम्मिलित कर के निर्माण या उत्पादन में लगे अनुसूचित उद्योगों की विकास परिषदों के सदस्य नियुक्त करती है :—

#### तेल, अपमार्जक तथा पेट की विकास परिषद्

1. श्री सी० एच० कोकसे, अध्यक्ष  
मैसर्स एशियन आयल एण्ड पेन्ट्स (ई०) प्रा० लि० बम्बई।
2. श्री जो० बी० स्वैका,  
मैसर्स स्वैका आयल मिल्स,  
पी० एन० बी० हाउस, ब्रेब्रोन रोड, कलकत्ता-1।
3. श्री एम० पी० मंसिंगका,  
मैसर्स मंसिंगका इण्डस्ट्रीज प्रा० लि०, पंचेरा (महाराष्ट्र)।
4. श्री जे० जे० तन्ना,  
मसस जमनादास माधवजी,  
11-ए, बोड हाउस रोड, बम्बई-1



5. श्री के० एच० पाटिल,  
विशाल कर्नाटक बिल्डिंग,  
क्लब रोड, हुबली, जिला धारवार, मैसूर ।
6. श्री एस० एन० अग्रवाल,  
मैसर्स प्राग आइस एण्ड आयल मिल्स,  
अलीगढ़ ।
7. श्री एस० बी० गोयनका,  
मैसर्स फूड फैट्स एण्ड फर्टिलाइजर्स लि०,  
टंकू रोड, तदेप्पालिगुडक,  
जिला पश्चिमी गोदावरी, आंध्र प्रदेश ।
8. डा० डी० पी० गोदरेज,  
मैसर्स गोदरेज सोप्स प्रा० लि०,  
ईस्टर्न एक्सप्रेस हाईवे,  
बिखरेली, बम्बई-77 ।
9. श्री एफ० कोर्नर (प्रबन्ध निदेशक),  
मैसर्स ईस्ट एशियाटिक कं० (ई०) प्रा० लि०,  
मर्केन्टाइल बैंक बिल्डिंग, 16 फर्स्ट लाइन ब्रांच,  
पो० बा० सं० 146, मद्रास ।
10. श्री आर० रामास्वामी,  
मैसर्स हिन्दुस्तान लिबर लि०,  
हिन्दुस्तान लिबर हाउस,  
बैकवे रिक्लेमेशन, फोर्ट, बम्बई-1 ।
11. श्री एम० ए० बबूद,  
मैसर्स टाटा आयल मिल्स कं० लि०,  
ब्रूस स्ट्रीट, फोर्ट, बम्बई-1 ।
12. श्री डी० एम० नटारवाला,  
मैसर्स दाई-इची करकारिया प्रा० लि०,  
लिबर्टी बिल्डिंग, न्यू मैरीन लाइन्स,  
बम्बई ।
13. श्री टी० एन० खेतान, निदेशक,  
मैसर्स कुसुम प्रोडक्ट्स लि०,  
बम्बई म्युचुअल बिल्डिंग,  
न० 1, ग्रेबोर्न रोड,  
कलकत्ता-1 ।
14. श्री एस० जालान,  
मैसर्स एशियाटिक सोप कं०,  
8, डलहौजी स्क्वायर, कलकत्ता ।

15. श्री एम० ए० बामिथ,  
मैसर्स देमाई सोप वर्क्स,  
मम्पांगी टैंक रोड, बंगलौर ।
16. श्री जगमोहन सरन,  
मैसर्स मोदी वनस्पति मैन्यूफैक्चरिंग क० लि०,  
मोदी नगर, मेरठ ।
17. श्री एम० एन० राव,  
मैसर्स ब्रिटिश पेंट्स लि०, कलकत्ता ।
18. श्री के० एम० सुन्दरम,  
मैसर्स एडिसन पेंट्स एण्ड केमिकल्स लि०,  
मद्रास ।
19. श्री आर० के० मरफतिया,  
मैसर्स मुडलास नेरोलैक पेंट्स प्रा० लि०, बम्बई ।
20. श्री नारमैन एल० कन्ट्रैक्टर,  
मैसर्स रेनबो इन्क एण्ड वार्निश क०, लि० बम्बई ।
21. श्री जे० बी० बिजुर,  
मैसर्स चौगुले एण्ड क०, लि०, बम्बई ।
22. श्री सी० के० अग्रवाल,  
मैजैज प्रिंटिंग इंक फैक्टरी, हावड़ा,  
पश्चिम बंगाल ।
23. श्री आर० एस० त्रिपाठी,  
जनरल सेल्स मैनेजर,  
मैसर्स जानसन एंड निकलसन (इं०) लि०,  
225, लोअर सर्कुलर रोड, कलकत्ता-20 ।
24. विकास अनुयुक्त, लघु उद्योग द्वारा  
मनोनीत एक प्रतिनिधि ।
25. वैज्ञानिक तथा औद्योगिक अनुसन्धान परिषद्  
का एक प्रतिनिधि ।
26. श्रम मंत्रालय का एक प्रतिनिधि ।
27. खाद्य तथा कृषि मंत्रालय का एक प्रतिनिधि  
( चीनी तथा वनस्पति निदेशालय ) ।
28. श्री आर० के० रंगन,  
उप-सचिव, औद्योगिक विकास तथा समवाय कार्य  
मंत्रालय ( औद्योगिक विकास विभाग ), नई दिल्ली ।
29. श्री एस० सुन्दरराजम,  
उप सचिव, पेट्रोलियम तथा रसायन मंत्रालय  
( रसायन विभाग ), नई दिल्ली ।

30. श्री के० एन० आर० शर्मा,  
विकास अधिकारी,  
तकनीकी विकास का महानिदेशालय, नई दिल्ली ।

सदस्य-सचिव

[सं० 24 (6)/ 66-11(1)]

ए० के० राय, ।

संयुक्त सचिव।

**(Department of Industrial Development)**

**ORDER**

*New Delhi, the 8th January 1968*

**S.O 276/RLIUR/18/1.**— In pursuance of rule 18 of the Registration & Licensing of Industrial Undertakings Rules, 1952, and in supersession of the Order of the Government of India in the late Ministry of Industry and Supply No. 2664/RLIUR/18/1, dated the 17th August, 1965, the Central Advisory Council of Industries hereby constitutes the Reviewing Sub-Committee till the 3rd November, 1969, consisting of the following members, namely:—

*Chairman*

1. Shri P. L. Tandon

*Members*

2. Shri L. N. Birla or his nominee
3. Shri C. A. Pitts or his nominee
4. Shri B. D. Somani or his nominee
5. Shri Keshub Mahindra
6. Shri M. A. Fazalbhoy
7. Shri S. R. Vasavada
8. Shri S. S. Mirajkar
9. Shri Manohar Kotwal
10. A Member of Parliament (To be notified later)

2. The functions of the Sub-Committee will be to review all licences issued, refused, varied, amended or revoked from time to time and to advise Government on the general principles to be followed in the issue of licences for establishing new undertakings or substantial expansion of the existing undertakings.

[No. 11(3)/Lic Pol./67.]

R. C. SETHI, Under Secy.

**(Department of Industrial Development)**

**(Indian Standards Institution)**

*New Delhi, the 27th December, 1967*

**S.O 277.**—In Licence No. CM/L-1370 dated 26th December 1966 held by M/s. Nahan Foundry Ltd., Nahan (H.P.) the details of which are published under

S.O. 243 in the Gazette of India, Part II, Section 3, Sub-Section 3(ii), dated January 1967, the following types of horizontal centrifugal pumps for clear, cold, fresh water, conforming to IS:1520-1960 have been included with effect from 15th December 1967.

Radial flow, single stage, single suction, volute casing, 76 mm X 64 mm (3 HP), 76 mm X 76 mm (3HP) and 100 mm X 100 mm (5 HP)

[No. MD/55:1370.]

S.O. 278.—In Licence No. CM/L-1332 dated 16-9-66 held by M/s Fort Gloster Industries Ltd., 31 Chowringhee Road, Calcutta-16, the details of which are published under S. O. 3953 in the Gazette of India, Part II, Section 3, Sub-Section 3(ii), dated 4-11-67, hard-drawn steel-cored aluminium conductors for overhead power transmission purposes, conforming to IS:398-1961, have been included with effect from 15th December 1967.

[No. MD/55:1333.]

*New Delhi, the 4th January 1968*

S.O. 279.—In pursuance of sub-regulation(3) of regulation 7 of the Indian Standards Institution (Certification Marks Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fee (s) per unit for various products, details of which are given in the Schedule hereto annexed, have been determined and the fee (s) shall come into force with effect from the date shown against each :

#### THE SCHEDULE

Sl. No.	Product/Class of Products	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit	Date of Effect
(1)	(2)	(3)	(4)	(5)	(6)
1	Continuous filament viscose rayon yarn and acetate yarn, bright and dull	IS:2427-1963 Specification for grading of continuous filament viscose rayon yarn and acetate yarn, bright and dull	One tonne	Rs. 3.00	1 January 1968
2	Carbon papers, hand-writing	IS:3450-1966 Specification for carbon papers, handwriting	One box of 100 sheets	0.5 Paisa	5 December 1967

[No. MD/18 :2]

S.O. 280.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standards Institution hereby notifies that the Standard Mark(s) design(s) of which together with the verbal description of the design(s) and the title of the relevant Indian Standard are given in the Schedule hereto annexed, have been specified.

These Standard Mark(s) for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from 1 January 1968 :

THE SCHEDULE

Sr. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the Design of the Standard Mark
(1)	(2)	(3)	(4)	(5)
	IS:2427	Continuous filament viscose rayon yarn and acetate yarn, bright and dull	IS:2427-1963 Specification for grading of continuous filament viscose rayon yarn and acetate yarn, bright and dull	The monogram of the Indian Standards Institution consisting of letters 'ISI' drawn in the exact style and relative proportions as indicated in col. (2) the number, designation of the Indian Standard being superscribed on the top side and the grade designation being subscribed under the bottom side of the monogram as indicated in the design.
	Grade 1 IS:2427			
	Grade 2 IS:2427			
	Grade 3			

New Delhi, the 5th January 1968

**S.O. 281** —In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations 1955, the Indian Standards Institution hereby notifies that the marking fee (s) per unit for various products, details of which are given in the Schedule hereto annexed, have been determined and the fee (s) shall come into force with effect from the dates shown against each:

THE SCHEDULE




Serial No.	Product/Class of Products	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit	Date of Effect
1	2	3	4	5	6
1	Steel toe caps for miners' safety leather boots and shoes.	IS: 1989-1967 Specification for One miners' safety leather boots and shoes (first revision).	Pair	1 Paisa per unit for the first 100 000 units; 0.5 Paisa per unit for the 100 001st unit and above.	1 December 1967
2	Plaster of Paris . . . . .	IS: 2333-1963 Specification for One plaster of Paris.	Tonne	Re. 1.00	1 January 1968
3	Musk ambrette . . . . .	IS: 3131-1965 Specification for musk ambrette.	One kg. ■	10 Paise	1 January 1968
4	Musk xylol . . . . .	IS: 3145-1965 Specification for musk xylol.	One kg. ■	5 Paise	1 January 1968



[No. MD/18:2]

**S.O. 282.**—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standards Institution here by notifies that the Standard Mark(s), design(s) of which together with the verbal description of the design(s) and the title(s) of the relevant Indian Standards are given in the Schedule hereto annexed, have been specified.

These Standard Mark(s) for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed, thereunder, shall come into force with effect from the dates shown against each :

#### THE SCHEDULE

Serial No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the Design of the Standard Mark	Date of Effect
1	2	3	4	5	6
1.	IS:1989  TOE-CAP	Steel toe caps for miners' safety leather boots and shoes.	IS: 1989-1967 Specification for miners' safety leather boots and shoes (first revision).	The monogram of the Indian Standards Institution consisting of letters 'ISI' drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being superscribed on the top side and the words 'TOE-CAP' being subscribed under the bottom side of the monogram as indicated in the design.	1 December 1967
2.	IS: 2333  GRADE 1	Plaster of Paris	IS: 2333-1963 Specification for Plaster of Paris.	The monogram of the Indian Standards Institution consisting of letters 'ISI' drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being superscribed on the top side and grade designation being subscribed under the bottom side of the monogram as indicated in the designs.	1 January 1968.
3.	IS:2333  GRADE 2				

1	2	3	4	5	6
4	IS:3131 	Musk ambrette	IS: 3131-1965 Specification for musk ambrette.	The monogram of the Indian Standards Institution consisting of letters 'ISI' drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	1 January 1968
5	IS:3145 	Musk xylol	IS: 3145-1965 Specification for musk xylol.	The monogram of the Indian Standards Institution consisting of letters 'ISI' drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	1 January 1968




[No. MD/17:2.]



S.O. 283.—In partial modification of the then Ministry of Commerce and Industry (Indian Standards Institution) Notification No. S.O. 28 dated 26 December 1962 published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 5 January 1963, the Indian Standards Institution hereby notifies that the Standard Mark(s) for Ammonium Chloride, Pure has been revised. The revised design(s) of the Standard Mark(s) together with the title of the relevant Indian Standard and verbal description of the design(s) are given in the Schedule hereto annexed.

These Standard Marks for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from 16 November 1967.

### THE SCHEDULE

Serial No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the design of the Standard Mark
1	2	3	4	5
1	IS : 1113  TECHNICAL IS : 1113	Ammonium Chloride, technical and pure.	IS : 1113-1965 Specification for ammonium chloride, technical and pure (revised).	The monogram of the Indian Standards Institution consisting of letters 'ISI' drawn in the exact style and relative proportions as indicated in Col. (2), the number designation of the Indian Standard being subscribed on the top side and type, grade designation being subscribed under the bottom side of the monogram as indicated in the designs.
2	 TYPE 1 IS : 1113			
3	 TYPE 2 IS : 1113			

New Delhi, the 8th January 1968

**S. O. 284**—In pursuance of sub-regulation (1) of Regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as subsequently amended, the Indian Standards Institution hereby notifies that twenty-four licences, particulars of which are given in the Schedule hereto annexed, have been granted authorizing the licensees to use the Standard Mark.

THE SCHEDULE

Serial No.	Licence No. and Date	Period of Validity From	To	Name and Address of the Licensee	Article/Process Covered by the Licence	Relevant Indian Standard
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	CM/L-1577 1-12-1967	1-12-67	30-11-68	M/s. Metropole Industries, Pradhan-khunta, Distt. Dhanbad, Bihar.	DDT emulsifiable concentrates.	IS: 633—1956 Specification for DDT emulsifiable concentrates.
2	CM/L-1578 1-12-1967	1-12-67	30-11-68	M/s. Jai Chemicals, 14/1, Mathura Road, Faridabad (Haryana).	BHC dusting powders.	IS: 561—1962 Specification for BHC dusting powders ( <i>second revision</i> ).
3	CM/L-1579 12-12-1967	16-12-67	15-12-68	M/s. Ajeet Industrial Corpn., Naliya Pool, (Rly Colony), P.O. Dibrugarh (Assam) having their office at Jalan Katra, P. O. Dibrugarh, Assam.	Tea-chest metal fittings	IS: 10—1964 Specification for plywood tea-chests ( <i>second revision</i> ).
4	CM/L-1580 12-12-1967	16-12-67	15-12-68	M/s. Mysore Iron & Steel Ltd., Bhadravati (Mysore State).	Carbon steel billets for re-rolling into structural steel (standard quality).	IS: 2830—1964 Specification for carbon steel billets for re-rolling into structural steel (standard quality).
5	CM/L-1581 12-12-1967	16-12-67	15-12-68	M/s. Mysore Iron & Steel Ltd., Bhadravati (Mysore State).	Carbon steel billets for re-rolling into structural steel (ordinary quality).	IS: 2831—1964 Specification for carbon steel billets for re-rolling into structural steel (ordinary quality).
6	CM/L-1582 13-12-1967	16-12-67	15-12-68	M/s. Venkateswara Agro Chemicals & Minerals, 6/303, Thiruvottiyur High Road, Madras-21.	BHC water dispersible powder concentrates.	IS: 562—1962 Specification for BHC water dispersible powder concentrates ( <i>second revision</i> ).
7	CM/L-1583 13-12-1967	16-12-67	15-12-68	M/s. Rattanchand Harjasrai (Moulding) Pvt. Ltd., 54, Industrial Area, Faridabad (Haryana).	Plastic water-closet seats and covers phenolic type.	IS: 2548E-1966 Specification for plastic water-closet seats and covers ( <i>revised</i> ).
8	CM/L-1584 14-12-1967	16-12-67	15-12-68	M/s. Sampuran Saw Mills, Saharapur Road, P. O. Yamuna Nagar, Distt. Ambala having their Head Office at 8 & 9, Bentinck Street, Calcutta.	Plywood tea-chest bat-tens.	IS: 10-1964 Specification for plywood tea-chests ( <i>second revision</i> ).

9	CM/L-1585 14-12-1967	16-12-67	15-12-68	M/s. Hind Timber Industries, W-3 & W-8, Industrial Area, Yamunanagar.	Plywood tea-chest battens.	IS: 10—1964 Specification for plywood tea-chests ( <i>second revision</i> ).
10	CM/L-1586 14-12-1967	16-12-67	15-12-68	M/s. Prakash Pulverising Mills, Industrial Area, Alwar (Rajasthan).	BHC water dispersible powder concentrates.	IS: 562—1962 Specification for BHC water dispersible powder concentrates ( <i>second revision</i> ).
11	CM/L-1587 15-12-1967	16-12-67	15-12-68	M/s. Prakash Pulverising Mills, Industrial Area, Alwar (Rajasthan).	DDT water dispersible powder concentrates.	IS: 565—1962 Specification for DDT water dispersible powder concentrates.
12	CM/L-1588 19-12-1967	1-1-68	31-12-68	M/s. Deora Pu Cabinon Mfg. Co. Pvt. Ltd., 17/18, Pologround, Indore (M.P.)	Hard-drawn stranded all aluminium conductors for overhead power transmission purposes.	IS: 398—1961 Specification for hard-drawn stranded aluminium and steel cored aluminium conductors for overhead power transmission purposes.
13	CM/L-1589 20-12-1967	1-1-68	31-12-68	M/s. Katia Steel Rolling Works, 613, Barrackpore Trunk Road, P.O. Agarpara, 24 Parganas having their office at 93 Park Street, Calcutta-16.	Structural steel (standard quality)	IS: 226—1962 Specification for structural steel (standard quality) ( <i>third revision</i> ).
14	CM/L-1590 20-12-1967	1-1-68	31-12-68	M/s. Katia Steel Rolling Works, 613, Barrackpore Trunk Road, P.O. Agarpara, 24 Parganas having their office at 93, Park Street, Calcutta-16.	Structural steel (ordinary quality)	IS: 1977—1962 Specification for structural steel (ordinary quality).
15	CM/L-1591 21-12-1967	1-1-68	31-12-68	M/s. Vigvijay Metal Industries, 3/31, Industrial Area, Anand Parbat, New Delhi-15.	Door closers (hydraulically regulated) size 1 & 2 only.	IS: 3564—1966 Specification for door closers (hydraulically regulated).
16	CM/L-1592 26-12-1967	1-1-68	31-12-68	M/s. New Chemi Mineral Mills Pvt. Ltd., Chakravati Ashok Road, Kandivli (East), Bombay-67 having their office at 7-A, Dean Lane, Fort, Bombay-1.	Malathion dusting powders.	IS: 2568—1963 Specification for malathion dusting powders.
17	CM/L-1593 26-12-1967	1-1-68	31-12-68	M/s. New Chemi Mineral Mills Pvt. Ltd., Chakravati Ashok Road, Kandivli (East), Bombay-67 having their office at 7-A, Dean Lane, Fort, Bombay-1.	Chloride dusting powders.	IS: 2864—1964 Specification for chloride dusting powders.
18	CM/L-1594 26-12-1967	1-1-68	31-12-68	M/s. Selective Chemicals Pvt. Ltd., Ruvapari Road, Bhavnagar (Gujarat)	BHC water dispersible powder concentrates.	IS: 562—1962 Specification for BHC water dispersible powder concentrates ( <i>second revision</i> ).
19	CM/L-1595 26-12-1967	1-1-68	31-12-68	M/s. Selective Chemicals Pvt. Ltd., Ruvapari Road, Bhavnagar (Gujarat)	Endrin emulsifiable concentrates.	IS: 1310-1958 Specification for endrin emulsifiable concentrates.
20	CM/L-1596 26-12-1967	1-1-68	31-12-68	M/s. General Industries Corpn., P-2/4, Taratolla Road, Calcutta-24 having their office at 11, Rowdon Street, Calcutta-16.	Plaster of paris, grade 1.	IS: 2332—1963 Specification for plaster of paris.

(1)	(2)	(3)	(3)	(4)	(5)	(7)
21	CM/L-1597 27-12-1967	1-1-68	31-12-68	M/s. J. K. Rayon, Jay Kay Puri (Rajmau) Kanpur-10 having their office at Kamla Tower, Kanpur.	Continuous filament viscose rayon yarn and acetate yarn, bright, grade 1.	IS: 2427—1963 Grading of continuous rayon yarn and acetate yarn, bright and dull.
22	CM/L-1598 27-12-1967	1-1-68	31-12-68	M/s. Murarka Engg. Works, Industrial Area, Najafgarh Road, New Delhi-15.	Leaf springs for automobile suspension.	IS: 1135—1966 Specification for leaf springs for automobile suspension (first revision).
23	CM/L-1599 27-12-1967	1-1-68	31-12-68	M/s. Henley Cables India Ltd., Hadaspar Industrial Estate, Sholapur Road, Poona-1 having their Regd. Office at Henley House, Ballard Estate, Bombay-1.	Hard-drawn stranded aluminium and steel cored aluminium conductors for overhead power transmission purposes.	IS: 398—1961 Specification for hard-drawn stranded aluminium and steel cored aluminium conductors for overhead power transmission purposes.
24	CM/L-1600 27-12-1967	1-1-68	31-12-68	M/s. Traco Cable Co. Ltd., Irimpanam, Thiruvainkulam Village, Kanayannur Taluk, Ernakulam Distt., Kerala State.	Hard-drawn stranded aluminium and steel cored aluminium conductors for overhead power transmission purposes.	IS: 398-1961 Specification for hard-drawn stranded aluminium and steel cored aluminium conductors for overhead power transmission purposes.

[No. MD/33:16]

---

*New Delhi, the 10th January 1968*

---

**S.O. 285.**—In Licence No. CM/L-1178 dated 13th December 1965 held by M/s Madhya Pradesh Industries, Gwalior, the details of which are published under **S.O. 419** in the Gazette of India, Part II, Section 3, Sub-Section 3(ii), dated 4th February 1967, steel-cored aluminium conductors for power transmission purposes, conforming to IS: 398-1961, have been included with effect from 16th January 1968.

[No. MD/55:1178.]

**S.O. 986.**—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that amendment(s) to the Indian Standard(s) given in the schedule hereto annexed have been issued under the powers conferred by the sub-regulation (1) of regulation 3 of the said Regulations :

# THE SCHEDULE

Serial No.	No. and title of the Indian Standard amended	No. and Date of Gazette Notification in which the establishment of the Indian Standard was notified	No. and Date of the Amendment	Brief particulars of the Amendment	Date from which the amendment shall have effect
1	2	3	4	5	6
1	IS : 844-1962 Specification for screw drivers	S.O. 242 dated 26 January 1963	No. 1 November 1967	The Figure in Table VII has been substituted by a new one	30 November 1967
2	IS : 899-1956 Specification for sago ( <i>saboodana</i> )	S.R.O. 656 dated 2 March 1957	No. 3 November 1967	(i) Clauses 0·5, 0·5·1, 4·1, B-1·1, E-1·1, F-2·1, G-2·1, J-3·1, K-3·1 and Table 1 have been amended (ii) Subsequent to deletion <i>vide</i> Amendment No. 2 clauses 4·4 and 4·5 have been re-numbered as 4·3 and 4·5 and Appendices 'E, F, G, H, J and K' redesignated as 'C, D, E, F, G and H' respectively and clauses and cross references in these appendices renumbered accordingly (iii) A new clause 4·5 has been added (iv) Appendix 'A' has been substituted by a new one	30 November 1967
3	IS : 1262-1958 Specification for abrasive specialities	S.O. 1338 dated 13 June 1959	No. 1 January 1968	Clause 0·5 has been substituted by a new one and clause 0·5·1 deleted	15 January 1968
4	IS : 129-1967 Specification for needle bars for sewing machines for household purposes ( <i>first revision</i> )	S.O. 2177 dated 1 July 1967	No. 1 January 1968	Clauses A-1·3 and A-2·2 have been amended	15 January 1968
5	IS : 1493-1959 Methods of chemical analysis of iron ores	S.O. 1742 dated 16 July 1960	No. 1 December 1967	Equation under clause 9·4 has been substituted by a new one	31 December 1967
6	IS : 1496-1959 Specification for transformers used in vibrator power supplies	S.O. 1572 dated 25 June 1960	No. 1 November 1967	The amendment mainly intends to bring the standard, so far as climatic and mechanical durability tests are concerned, in line with the requirements of IS : 589-1961—Basic climatic and mechanical durability tests for electronic components ( <i>revised</i> ).	30 November 1967

7	IS: 1583—1960 Specification for hand-loom silk dhoties, loomstate	S.O. 3059 dated 24 December 1960	No. 1 November 1967	} Reference specifications IS: 833, IS: 835, IS: 836, IS: 837 and IS: 838, have been substituted by new ones	30 November 1967
8	IS: 1686—1960 Specification for hand-loom silk bushshirt cloth, loomstate	S.O. 341 dated 11 February 1961	No. 1 November 1967		
9	IS: 2307—1962 Specification for magnesium powder for explosives and pyrotechnic compositions	S.O. 1683 dated 22 June 1963	No. 1 January 1968	Table 1 has been amended	15 January 1968
10	IS: 2392—1963 Sizes for general purpose lathes	S.O. 2370 dated 24 August 1963	No. 1 November 1967	Clause 3.3 has been substituted by a new one	30 November 1967
11	IS: 2414—1963 Specification for bicycle tyres	S.O. 3070 dated 2 November 1963	No. 1 September 1967	(i) Clauses 3.2.1 and 3.3.1 have been substituted by new ones (ii) Clauses 3.4.1.1 and 3.4.1.4 have been amended	30 September 1967
12	IS: 2784—1964 Specification for shuttles for automatic cop changing jute looms	S.O. 4120 dated 5 December 1964	No. 1 September 1967	Note under clause 7.1 has been substituted by a new one	30 September 1967
13	IS: 2861—1964 Specification for diazinon emulsifiable concentrates	S.O. 895 dated 20 March 1965	No. 1 February 1968	Page 4, clause 2.2.5 lines 2 and 3—Substitute '2.2.2 and 2.2.4' for '2.2.2, 2.2.4 and 2.3.1'	1 February 1968
14	IS: 2978—1964 Specification for by-products of lac	S.O. 2042 dated 26 June 1965	No. 1 December 1967	Page 5, clause 3.2.1, lines 3 to 6—Substitute '600—micron IS Sieve' for '300-micron IS Sieve'	31 December 1967
15	IS: 3025—1964 Methods of sampling and test (physical and chemical for water used in industry	S.O. 664 dated 5 March 1966	No. 2 December 1967	(i) Clauses 41.1.3 and 41.2 have been substituted by new ones (ii) Clauses 41.2.2 and 41.2.2.1 have been deleted (iii) Clause 41.2.3 has been renumbered as 41.2.2 (iv) A new item '59 OILS AND GREASE' has been added	31 December 1967
16	IS: 3358—1965 Specification for dupion silk fabric	S.O. 1081 dated 9 April 1966	No. 1 November 1967	Table 2 and clause 4.5.1 have been amended	30 November 1967
17	IS: 3359—1965 Specification for silk coating	S.O. 1081 dated 9 April 1966	No. 2 October 1967	Table 2 and clause 4.5.1 have been amended	31 October 1967
18	IS: 3403—1966 Dimensions for knurling	S.O. 2037 dated 9 July 1966	No. 1 November 1967	Clauses 2.1.1 and 3.1 have been amended	30 November 1967
19	IS: 3428—1966 Dimensions for relief grooves	S.O. 2246 dated 30 July 1966	No. 1 November 1967	Clause 4.1 has been substituted by a new one	30 November 1967





S.O.287—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars of which are given in the Schedule hereto annexed, have been established during the period 1 to 31 December 1967:

THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard Established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Brief Particulars
(1)	(2)	(3)	(4)
1	IS: 74-1966 Methods of sampling and test for drying oils for paints ( <i>first revision</i> )	IS: 74-1950 Methods of test for drying oils for paints	This standard prescribes the methods of sampling and test for drying oils for paints. (Price Rs. 11.00)
2	IS: 191-1967 Specification for copper ( <i>second revision</i> )	IS: 191-1958 Specification for copper ( <i>revised</i> )	This standard covers the requirements for 8 grades of copper metal. (Price Rs. 5.00)
3	IS: 258-1967 Specification for potash alum ( <i>first revision</i> )	(i) IS: 258-1950 Specification for potash alum, technical and (ii) IS: 378-1952 Specification for potash alum, pharmaceutical	This standard prescribes the requirements and the methods of sampling and test for potash alum (aluminium potassium sulphate). (Price Rs. 5.00)
4	IS: 537-1967 Specification for toluene, pure, nitration grade ( <i>first revision</i> )	IS: 537-1955 Specification for toluene, pure, nitration grade	This standard prescribes the requirements and the methods of sampling and test for toluene, pure, nitration grade. (Price Rs. 8.00)
5	IS: 550-1967 Specification for safes ( <i>first revision</i> )	IS: 550-1954 Specification for safes	This standard covers the dimensions and security requirements of burglar-resisting and fall-resisting safes, with or without fire-resisting arrangement. (Price Rs. 5.50)
6	IS: 1005-1967 Specification for arrowroot starch ( <i>first revision</i> )	IS: 1006-1957 Specification for arrowroot starch	This standard prescribes the requirements and the methods of test for arrowroot starch, popularly known as 'arrowroot'. (Price Rs. 3.50)
7	IS: 1170-1967 Specification for ferrochromium ( <i>first revision</i> )	IS: 1170-1957 Specification for ferrochromium	This standard covers the requirements for various grades of ferrochromium (Price Rs. 2.00)
8	IS: 1181-1967 Qualifying tests for metal arc welders (engaged in welding structures other than pipes) ( <i>first revision</i> )	IS: 1181-1957 Qualifying tests for metal arc welders (engaged in welding structures other than pipes)	This standard lays down qualifying tests for metal arc welders for specific applications. They comprise of butt and fillet welds made by the manual metal arc process for steel sheets and plates as may be specified. (Price Rs. 9.50)

(2)	(3)	(4)
9 IS: 1255-1967 Code of practice for building bye laws ( <i>first revision</i> )	IS: 1256-1958 Code of building bye laws	This code stipulates standards, provisions and requirements for safe and stable design, methods of construction and sufficiency of materials in structures and regulations for maintenance of equipment, use and occupancy of all structures and premises. (Price Rs. 12.50)
10 IS: 1258-1967 Specification for bayonet lampholders ( <i>first revision</i> )	IS: 1258-1958 Specification for bayonet lampholders	This standard presents materials, dimensions and tests for bayonet type holders suitable for use at voltages not exceeding 250 volts and loading not exceeding two amperes. Both metal-cased (brass or aluminium) as well as insulated lampholders are covered by this standard. (Price Rs. 8.00)
11 IS: 1378-1967 Specification for oxidized-copper finishes ( <i>first revision</i> )	IS: 1378-1959 Specification for oxidized copper finishes	This standard presents requirements for oxidized-copper finishes on article made of zinc and zinc-base alloys, copper and copper-base alloys, and steel. (Price Rs. 2.00)
12 IS: 1571-1967 Specification for aviation turbine fuels, kerosine type ( <i>second revision</i> )	IS: 1571-1965 Specification for aviation turbine fuels, kerosine type ( <i>revised</i> )	This standard prescribes the requirements and method of sampling and test for aviation turbine fuels, kerosine type, used in turbo-prop and jet-engined aircrafts (Price Rs. 5.50)
13 IS: 1885 (Part III/Sec 3)-1967 Electrotechnical vocabulary Part III Acoustics Section 3 Sound recording and reproduction	..	This standard covers terms relating to sound recording and reproduction. (Price Rs. 8.00)
14 IS: 2017-1967 Methods of chemical analysis of metallic manganese	..	This standard prescribes methods for chemical analysis of the two grades of metallic manganese, that is, Grade M Mn 95 and Grade M Mn 95 LC of IS: 2021-1962. (Price Rs. 7.00)
15 IS: 2258-1967 Specification for rolled zinc plate, sheet and strip ( <i>first revision</i> )	IS: 2258-1962 Specification for rolled zinc plate, sheet and strip	This standard covers the requirements for four grades of rolled-zinc plate, sheet and strip. (Price Rs. 4.00)

(1)	(2)	(3)	(4)
16	IS: 2879-1967 Specification for mild steel for metal arc welding electrode core wire ( <i>first revision</i> )	IS: 2879-1964 Specification for mild steel for metal arc welding electrode Core wire	This standard covers the requirements for mild steel for metal arc welding electrode core wire. (Price Rs. 2.00)
17	IS: 3035 (Part III)-1967 Specification for thermoplastic insulated weather-proof cables Part III Polyethylene insulated and polyethylene sheathed	..	This standard covers the requirements of single and flat twin core polyethylene insulated and polyethylene sheathed cables for outdoor service connections of voltage grades 250/440 and 650/1100 volts. (Price Rs. 5.50)
18	IS: 3347 (Part I/Sec 2)-1967 Dimensions for porcelain transformer bushings Part I up to 1.1 kV bushings Section 2 Metal parts	..	This standard lays down the dimensions and materials of metal parts and accessories of bushings of up to 1.1 kV used with power transformers. (Price Rs. 4.00)
19	IS: 3347 (Part II/Sec 2)-1967 Dimensions for porcelain transformer bushing Part II 3.6 kV bushings Section 2 Metal parts	..	This standard lays down the dimensions and materials of metal parts and accessories of bushings of 3.6 kV rating used with power transformers. (Price Rs. 4.00)
20	IS: 3466-1967 Specification for masonry cement ( <i>first revision</i> )	IS: 3466E-1966 Specification for masonry cement	This standard lays down the requirements for masonry cement to be used for all general purposes where mortars for masonry are required. (Price Rs. 2.50)
21	IS: 3854-1966 Specification for switches for domestic and similar purposes	(i) IS: 1087-1957 Specification for single pole 5-ampere tumbler switches for AC/DC, and (ii) IS: 2120-1963 Specification for 15-ampere tumbler switches ( <i>revised</i> )	This standard specifies requirements for manually operated switches, such as tumbler switches, push-button switches and ceiling switches of the surface, semi-recessed or flush mounting type for domestic and similar general purpose; for wall or ceiling mounting, for incorporation in cords, having a rating up to and including 30A and suitable for use on AC and DC circuits at rated voltages not exceeding 250 V. (Price Rs. 8.00)
22	IS: 3961 (Part I)-1967 Recommended current ratings for cables.  Part I Paper-insulated lead-sheathed cables	..	This standard covers recommended current ratings for paper-insulated lead-sheathed cables covered by IS: 692-1966, either laid direct in ground, in ducts or in air (Price Rs. 9.50)

(1)	(2)	(3)	(4)
23	IS: 4008-1967 Guide for presentation of project report for river valley projects	..	This standard provides guidance regarding presentation of a project report for river valley projects and covers items on titles and title page of the report table of contents, size of paper, margins, page numbering, drawings, etc. (Price Rs. 5.00)
24	IS: 4015 (Part I) 1967 Guide for handling cases of pesticide poisoning Part I First-aid measures	..	This standard outlines the first aid measures that are to be adopted in cases of poisoning due to pesticides or their formulations in laboratory, field or factory, while the physician has been summoned to attend the case. (Price Rs. 7.00)
25	IS: 4088-1966 Specification for <i>kusum</i> oil	..	This standard prescribes the requirements and the methods of sampling and test for <i>KUSUM</i> oil. (Price Rs. 2.00)
26	IS: 4115-1967 Methods for sampling of oilseeds	..	This standard prescribes the methods for sampling number of tests to be performed and the criteria for conformity of oilseeds, including the oil bearing fruits. (Price Rs. 4.00)
27	IS: 4120-1967 Specification for tubs and baths	..	This standard covers the materials, shapes, dimensional and other requirements of bath, children; bath, hip; bath, foot; bath, arm; bath, oval and tub, washing; used in hospitals and for general domestic purposes. (Price Rs. 4.00)
28	IS: 4126-1967 Specification for wooden wardrobes (adjustable and non-adjustable type)	..	This standard covers the requirements for materials sizes, construction and finish of wooden wardrobes with hinged doors. (Price Rs. 4.00)
29	IS: 4221-1967 Quality tolerances for water for tanning industry	..	This standard prescribes the quality tolerances for water for use in different operations in tanning industry. (Price Rs. 2.00)
30	IS: 4222-1967 Specification for coloured chalks, moulded	..	This standard prescribes the requirements and the methods of sampling and test for coloured moulded chalks, intended primarily for writing on boards with a smooth surface. (Price Rs. 3.50)

(1)	(2)	(3)	(4)
31.	IS: 4194-1967 Specification for mustard and rape seed for propagation purposes	..	This standard prescribes the requirements and the methods of sampling and test for mustard and rape ( <i>Brassica spp.</i> ) seed for propagation purposes. (Price Rs. 2.00)
32.	IS: 4213-1967 Specification for vernier depth gauges.	..	This standard covers the requirements of vernier depth gauges of short depths of 200 mm, 300 mm and 400 mm reading to 0.05 mm. (Price Rs. 3.50)
33.	IS : 4214-1967 Specification for brushes, boiler tube (without shank).	..	This standard prescribes the requirements and the methods of sampling and test for brushes, boiler tube (without shank). (Price Rs. 3.50).
34.	IS : 4230-1967 Specification for lock, lever tumbler type.	..	This standard lays down material, principal dimensions and manufacturing requirements of lever tumbler type locks. (Price Rs. 3.50.).
35.	IS : 4231-1967 Specification for locks, miller type.	..	This standard covers the requirements of self-locking Miller type locks with flat keys. (Price Rs. 3.50).
36.	IS : 4237-1967 General requirements for switchgear and controlgear for voltages not exceeding 1 000 V.	..	This standard covers the general requirements common to all types of switchgear and controlgear for use in systems not exceeding 1 000V. (Price Rs. 7.00)
37	IS : 1347 (Part I)-1967 Code of practice for structural design of surface hydel power stations Part I Data for design.	..	This standard covers the data required to be collected for the structural design of surface hydel power stations. (Price. Rs. 4.00)
38	IS : 4248-1967 Specification for non-ignitable and self-extinguishing boards (with mineral base) for electrical purposes.	..	This standard covers the requirements of four classes of non-ignitable boards and self-extinguishing boards for electrical purposes. (Price Rs. 7.50).
39	IS : 4251-1967 Quality tolerances for water for processed food industry.	..	This standard prescribes the quality tolerances for water for use in the processed food industry. Special requirements for the individual food industries are also specified. (Price Rs. 4.00).
40	IS : 4255-1967 Specification for gyratory and cone crushers.	..	This standard covers gyratory and cone crushers which are commonly used for crushing rocks. (Price Rs. 2.50).

(1)	(2)	(3)	(4)
41.	IS : 4257-1967 Dimensions for clamping arrangements for bushings.	..	This standard covers the clamping arrangements for bushings of 12 kV to 36 kV (both inclusive). (Price Rs. 6.00).
42.	IS : 4259-1967 Code of practice for erection and calibration of direction-finders (medium frequency) for marine use.	..	This standard deals with the requirements of erection and calibration of direction-finders used on board ships. (Price Rs. 2.50).
43.	IS : 4262-1967 Code of safety for sulphuric acid.	..	This standard prescribes a code of safety concerning hazards relating to sulphuric acid. It describes properties and essential information for the safe handling and use of sulphuric acid. (Price Rs. 3.50).
44.	IS : 4263-1967 Code of safety for chlorine.	..	This standard prescribes a code of safety concerning hazards relating to chlorine. It describes properties and essential information for the safe handling and use of chlorine. (Price Rs. 6.00).
45.	IS : 4264-1967 Code of safety for caustic soda.	..	This standard prescribes a code of safety concerning hazards relating to caustic soda. It describes the properties and essential information for the safe handling and use of caustic soda. (Price Rs. 3.50).
46.	IS : 4265-1967 Specification for 4-4' diaminostilbene 2-2, disulphonic acid.	..	This standard prescribes the requirements and the methods of sampling and test for 4-4' diaminostilbene 2-2' disulphonic acid. (Price Rs. 4.00).
47.	IS : 4266-1967 Specification for lockers, bedside for hospital use.	..	This standard lays down requirements of bedside lockers used in hospitals and other similar institutions. (Price Rs. 2.00).
48.	IS : 4267-1967 Specification for stands, wash hand basin.	..	This standard specifies the requirements for single and double wash hand basin stands used in hospitals and other similar institutions. (Price Rs. 2.50).
49.	IS : 4268-1967 Specification for air depolarized primary wet cells.	..	This standard prescribes tests dimensions and minimum performance requirements of two sizes of air depolarized primary wet cells having a nominal voltage of 1.4 volts. (Price Rs. 5.00).

(1)	(2)	(3)	(4)
50.	IS : 4269-1967 Specification for dextrin for use in foundries.	..	This standard covers the requirements for two grades of dextrin for use in foundries. (Price Rs. 5.50).
51.	IS : 4270-1967 Specification for steel tubes used for water wells.	..	This specification covers the requirements for steel tubes for water wells, such as casing, drive pipe and housing, having the following types of joints :  (a) Screwed and socketed butt joints, (b) Screwed flush butt joints, (c) Plain bevelled and pipes for butt welded joints, and (d) Slip socket welded joints (Price Rs. 5.00).
52.	IS : 4271-1967 Specification for coumarin.	..	This standard prescribes the requirements and the methods of sampling and test for coumarin used as a perfumery material. (Price Rs. 2.00).
53.	IS : 4273-1967 Specification for isobornyl acetate.	..	This standard prescribes the requirements and the methods of sampling and test for isobornyl acetate. (Price Rs. 2.00).
54.	IS : 4275-1967 Specification for scissors, kilner's for plastic surgery.	..	This standard covers the requirements for Kilner's scissors, curved on Flat, fine with rounded dissector points and Kilner's scissors straight, extra fine sharp pointed for plastic surgery. (Price Rs. 2.50).
55.	IS : 4276-1967 Specification for solvent extracted soybean oil, refined.	..	This standard prescribes the requirements and methods of sampling and test for solvent-extracted soybean oil refined. (Price Rs. 2.50).
56.	IS : 4277-1967 Specification for solvent-extracted sunflower oil, refined.	..	This standard prescribes the requirements and methods of sampling and test for solvent-extracted sunflower oil, refined. (Price Rs. 2.50).
57.	IS : 4279-1967 Dimensions for bent strap clamps.	..	This standard specifies the material and dimensions of bent strap clamps. (Price Rs. 2.00.).
58.	IS : 4280-1967 Specification for refined secondary tin.	..	The standard covers the requirements for two grades of refined secondary tin, namely, Sn. 99 and Sn.96. (Price Rs. 2.00).

(1)	(2)	(3)	(4)
59.	IS : 4282-1967 Specification for forceps, dissecting, plastic surgery.	..	This standard lays down the requirements for dissecting forceps (McIndoe's Gillies' and Adson's mainly used for plastic surgery (Price Rs. 3.50).
60.	IS : 4283-1967 Specification for hot air fan.	..	This standard prescribes the requirements and methods of test for hot air fans for domestic use designed for connection to supplies at voltages not exceeding 250 volts ac single phase or dc. (Price Rs. 7.00).
61.	IS : 4286-1967 Specification for processed solid smokeless domestic fuel.	..	This standard prescribes the requirements and the methods of sampling and test for processed solid smokeless fuel used for domestic purposes. (Price Rs. 2.00).
62.	IS : 4287-1967 Glossary of terms relating to starch.	..	This standard prescribes the definitions for various terms most frequently used in industries concerned with starch (including derivatives and byproducts). (Price Rs. 4.00).
63.	IS : 4289-1967 Specification for lift cables.	..	This standard covers the requirements and dimensions for braided rubber-insulated travelling cables for electric lifts. The cables are suitable for the voltage to earth not exceeding 250 V and for any conductor of a 3-phase 440-V system its neutral point being solidly earthed. (Price Rs. 5.50)
64.	IS : 4291-1967 Dimensions for C-washers.	..	This standard specifies the material and dimensions for C-washers for jigs and fixtures. (Price Rs. 2.00).
65.	IS : 4292-1967 Dimensions for strap clamps.	..	This standard specifies the material and the dimensions of strap clamps (Price Rs. 2.00.)
66.	IS : 4293-1967 Dimensions for U-strap clamps.	..	This standard specifies the material and dimensions of U-strap clamps. (Price Rs. 2.00).
67.	IS : 4294-1967 Dimensions for jig buttons.	..	This standard specifies the material and dimensions for jig buttons. (Price Rs. 2.00.).
68.	IS : 4295-1967 Dimensions for locking dogs (catches).	..	This standard specifies the material and dimensions for locking dogs (catches) and the spring to be used with them. (Price Rs. 2.00).



(1)	(2)	(3)	(4)
69. IS : 4296-1967 Dimensions for round piercing punches.	..	This standard specifies the material and dimensions for round piercing punches upto 14.4 mm effective diameter. (Price Rs. 2.50).	
70. IS: 4297-1967 Dimensions for spherical washers and conical seats.	.	This standard specifies the material and dimensions for spherical washers and conical seats for jigs. (Price Rs. 2.00).	
71. IS: 4298-1967 Dimensions for swing C washers.	..	This material specifies the material and dimensions for swing C washers for jigs and fixtures. (Price Rs. 2.00).	
72. IS: 4299-1967 Dimensions for jig feet.	..	This standard specifies the material and dimensions for jig feet. (Price Rs. 2.00).	
73. IS : 4300-1967 Specification for box pallets for through transit of goods.	..	This standard covers the requirements of box pallets for through transit of goods. (Price Rs. 2.50).	
74. IS : 4302-1967 Specification for dry-salted mackerel.	..	This standard prescribes the requirements and the methods of test for dry-salted mackerel ( <i>Rastrelliger</i> sp.) (Price Rs. 2.50).	
75. IS : 4303 (Part I)-1967 Code for sanitary conditions, handling and transport in fish industry. Part I Pre-processing stage.	..	This standard prescribes the sanitary conditions and requirements for handling and transport of fish on board of the fishing vessel, at the point of unloading and from the unloading point to the processing site (Price Rs. 2.50).	
76. IS : 4303 (Part II)-1967 Code for sanitary conditions, handling and transport in fish industry. Part II Sanitary conditions for fish processing units.	..	This standard prescribes the sanitary conditions required for establishing and maintaining a fish processing unit. (Price Rs. 2.50).	
77. IS : 4305-1967 Glossary of terms relating to pozzolana.	..	This standard covers definitions of words and terms relating to pozzolanas. (Price Rs. 2.00).	
78. IS : 4306-1967 Specification for hexamethylenetetramine (hexamine).	..	This standard prescribes the requirements and the methods of sampling and test for hexamethylene-tetramine. (Price Rs. 5.50).	
79. IS : 4307-1967 Specification for fish meal as livestock feed	..	This standard prescribes the requirements and the methods of test for fish meal meant for livestock feeding. (Price Rs. 5.00)	

(1)	(2)	(3)	(4)
80	IS : 4310-1967 Specification for weldable steel pipe fittings for marine purposes.		This standard covers requirements for weldable steel pipe fittings for marine purposes. (Price Rs. 3.50).
81	IS : 4315-1967 Specification for pliers, bar bending, dental		This standard specifies the requirements for dental bar bending pliers, (Price Rs. 2.00.).
82	IS : 4316-1967 Specification for pliers, snipe nose, dental.	..	This standard specifies the requirements for dental snipe nose pliers, (Price Rs. 2.00).

Copies of these Indian Standards are available, for sale, with the Indian Standards Institution, Manak Bhavan, 9, Bahadur Shah Zafar Marg New Delhi-1 and also its branches office at (i) Bombay Municipal Terrace, Sandhurst Bridge, Bombay-7, (ii) Third and Fourth floors 5, Chowringhee Approach, Calcutta-13, (iii) Second Floor, Sathyamurthi Bhavan, 54, General Patters Road, Madras-2 and (iv) 117/418B, Smvodaya Nagar, Kanpur.

[No. MD/13: 2.]

(DR.) SADGOPAL,  
Deputy Director General.

## MINISTRY OF LABOUR, EMPLOYMENT & REHABILITATION

### (Department of Labour & Employment)

*New Delhi, the 4th January 1968*

**S.O. 288.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Presiding Officer, Central Government Industrial Tribunal, Jabalpur, in the matter of an application under section 33A of the said Act, from Sri J. N. Bhattacharjee B No 1400/E represented by Shri H. B. Singh 'Arsi', Secretary, Mosaboni Mines Labour Union, Post Office Mosaboni Mines, District Singhbhum, Bihar, which was received by the Central Government on the 26th December, 1967.

### BEFORE THE CENTRAL GOVT INDUSTRIAL TRIBUNAL CUM-LABOUR COURT, JABALPUR

*Dated November 27, 1967*

#### PRESENT:

Sri G. C. Agarwala, Presiding Officer.

COMPLAINT NO. 23/65 (DHANBAD TRIBUNAL)

COMPLAINANT NO. CGIT/LC(A) (18)/67 (JABALPUR TRIBUNAL)

(Under Section 33-A I.D. Act).

#### PARTIES:

Sri J. N. Bhattacharjee, B No 1400/E, C/o Mosaboni Mines Labour Union, P.O. Mosaboni Mines, Dist Singhbhum, Bihar—*Complainant*.

*Versus*

M/s Indian Copper Corporation Ltd, P.O. Mosaboni Mines, Dist Singhbhum (Bihar)—*Opp. Party*.

#### APPEARANCES

*For Complainant*—Sri H. B. Singh 'Arsi' Secretary, Mosaboni Mines Labour Union and Sri K. P. Agarwal, Advocate, Allahabad.

*For Opp. Party*—Sri K. C. Goel, Legal Officer of the Corporation.

INDUSTRY: Copper

DISTRICT: Singhbhum (Bihar).

### ORDER/AWARD

The complainant, Sri J. N. Bhattacharjee, filed a complaint under Section 33-A I.D. Act before the Dhanbad Tribunal complaining that the terms of service have been changed during the pendency of an industrial dispute covered by Ref. No. 4/65 (Dhanbad Tribunal) which along with other cases including this case was transferred to this Tribunal by Notification No 8/25/67-LRII dated 25th April, 1967. In initial stages of the hearing of this case an objection was raised by the management, the Indian Copper Corporation Ltd., that the complainant was not a concerned workman in the parent case. After this question was decided by means of a comprehensive order covering all the cases between the parties and issues had been settled, a date for hearing was fixed in the case. Before, however, evidence could be recorded, the Union, Mosaboni Mines Labour Union, which represented the complainant entered into a package deal and compromised most of the disputes with the management including the dispute in this case. The terms of settlement are Annexure "A" to this order. Before, however, it could be accepted and final order passed the management attempted to resile from the compromise settlement and after hearing arguments on the legal aspect of the matter an order was recorded on 20/28th September, 1967 which is Annexure "B" to this order. The management, however, later on withdrew their application and intimated by an application dated 28th September 1967 that they would abide by the compromise settlement. Para 2 of the compromise settlement would show that the complainant, Sri Bhattacharjee, will be given a special increment of 0.42 p. with effect from 1st August 1967, an offer which has been accepted by the Union on behalf of the complainant. The controversy is therefore, satisfactorily resolved and an order is recorded in terms thereof. Since, however, the order amounts to an award let the same be submitted to Government of India, Ministry of Labour & Employment, for publication in the Gazette.

(Sd) G. C. AGARWALA,  
Presiding Officer  
27-11-67.

"A"

### TRUE COPY

*Memorandum of Settlement between the Management of Indian Copper Corporation Ltd. and their workmen of Mosaboni Mines represented by the Mosabani Mines Labour Union, in respect of the Industrial Disputes pending adjudication before the Industrial Tribunal-cum-Labour Court (Central) at Jabalpur.*

#### Names of Parties

#### Representing the Management:

1. Mr. T. C. W. H. Blay, Ag. MS
2. Mr. K. Ramamoorthi, L.O.

#### Representing by Workmen:

1. Mr. H. B. Singh Arsi,  
General Secretary, M.M.L.U.
2. Mr. S. K. Das,  
Asstt. Secretary, M.M.L.U.
3. Mr. S. N. Aditya,  
Asstt. Secretary, M.M.L.U.

#### Short Recital of the case:

Whereas in its letters No. MMLU/103/MS/64, dated 3rd October, 1964 and No. MMLU/G-3A(CO)/64-3, dated 8th November, 1964 the Mosabani Mines Labour Union raised Industrial Disputes for reinstatement of Shri Bhupati Sen (Badge No. 5998) and for supply of free electricity and fuel to Shri U. C. Patnaik (Badge No. 1706) respectively

And whereas these disputes were referred by the Government of India in the Ministry of Labour, Employment and Rehabilitation to the Central Government Industrial Tribunal for adjudication.

And whereas during the pendency of the aforesaid references before the Industrial Tribunal, various applications u/s 33(2)(b) and u/s 33(3)(b) of the Industrial Disputes Act have been made by the Management and complaints u/s 33A of the Industrial Disputes Act have been made by the certain workmen.

And whereas the aforesaid two References are pending as No. 72 of 1967 and No. 82 of 1967 before the Industrial Tribunal-cum-Labour Court (Central) at Jabalpur and the cases under Sections 33 and 33A I.D. Act are also pending

before the same Tribunal and numbered as detailed in the Schedules 'A' and 'B' annexed hereto.

And whereas the Parties hereto, with a view to create better understanding, promote healthy Industrial Relations and maintain industrial peace, after repeated discussions have arrived at an amicable settlement on this Friday, the 4th of August 1967 on the following terms and conditions:—

*Terms of settlement:*

1. In the main Reference case No. 72 of 1967, it is agreed that Shri Bhupati Sen shall be reinstated as a special case and is allowed one month's time to resume duty. The intervening absence from the date of Shri Bhupati Sen's dismissal till the date of his resuming duty under this settlement shall be treated as special leave with loss of all benefits. Shri Bhupati Sen's wages shall be the same as he was getting at the time of his dismissal.

2. In respect of the cases u/s 33A I.D. Act, it is agreed as follows:—

- (i) Case No. 15 of 1967—The complaint of Sri Abdul Haque Khan (B. No. 461/E) shall not be pressed before the Tribunal.
- (ii) Case No. 16 of 1967—Sri Garguli Singh (B. No. 5055/WW) shall be allowed one day off for 7th June, 1965 but this shall not form a precedent.
- (iii) Case No. 17 of 1967—The complaint of Sri Jitrai Mahali (B. No. 5221) shall not be pressed before the Tribunal.
- (iv) Case No. 18 of 1967—Sri J. N. Bhattacharjee (B. No. 1400/E) shall be given a special Increment of 42 paise with effect from 1st August, 1967.
- (v) Case No. 19 of 1967—Sri S. B. Barua (B. No. 5724) shall be paid Acting Allowance for 18 days, i.e. from 22nd February, 1965 to 25th February, 1965 and from 1st March, 1965 to 14th March, 1965.
- (vi) Case No. 20 of 1967—The complaint of Sri M. M. Pati (B. No. 6236) shall not be pressed before the Tribunal.
- (vii) Case No. 21 of 1967—Sri Periappa Naidu (B. No. 7336) shall be allowed leave for the year 1965.
- (viii) Case No. 23 of 1967—Sri R. Ramaswamy (B. No. 3429) shall be allowed leave for the year 1965.
- (ix) Case No. 24 of 1967—The Warning Chit No. 24003 Issued to Sri Ram Bilas Singh (B. No. 3819) for absence without leave for 2 days, i.e. 18th and 19th of November 1966, shall be cancelled.

3. In respect of the cases u/s 33(2)(b) and 33(3)(b) of the I.D. Act it is agreed as follows:—

- (i) Case No. 18 of 1967—Management's application for approval of dismissal of Sri Basu (B. No. 1228) shall not be opposed before the Tribunal. However, the dismissal shall not be considered as a bar against his seeking fresh employment.
- (ii) Case No. 20 of 1967—Sri Muchi Ram (B. No. 7582) shall be re-employed in his former designation (Sweeper) by 14th September, 1967 in the usual way.
- (iii) Case No. 27 of 1967—Sri Dhananjoy Pator (B. No. 5619) shall be re-employed in his former designation (Mucker) by 14th October, 1967 in the usual way.
- (iv) Case No. 31 of 1967 } Sri Puneswar (B. No. 6495) shall be re-employed  
Case No. 35 of 1967 } in his former designation (Tramper) by 14th  
Case No. 47 of 1967 } October, 1967, in the usual way.
- (v) Case No. 39 of 1967—The Management's application for approval of the dismissal of Sri Sk. Munu (B. No. 5974) shall not be opposed before the Tribunal. However, the dismissal shall not be considered as a bar against his seeking fresh employment, and he may apply to the Mines Superintendent for consideration of his re-employment.
- (vi) Case No. 40 of 1967—Sri Bhuvan Narayan Deo (B. No. 7981) shall be re-employed in his former designation (Timber Mazdoor) by 14th October, 1967 in the usual way.
- (vii) Case No. 45 of 1967—The Management's application for approval of the action taken against Sri Shih Shankar Nair (B. No. 7989) shall not be opposed before the Tribunal.

- (viii) Case No. 46 of 1967—Punishment of 4 days suspension issued to Sri Ram Bllash Singh (B. No. 3819) for absence without leave from 21st March, 1966 to 3rd April, 1966 shall be set aside but the final warning issued for the same shall stand.
- (ix) Case No. 49 of 1967—Sri Abdul Karim (B. No. 4684) shall be re-employed in his former designation (Mucker) door by 14th October, 1967 in the usual way.
- (x) Case No. 54 of 1967—Shri Naiki Hoe (B. No. 7722) shall be re-employed in his former designation (Timber Mazdoor) by 14th October, 1967 in the usual way.
- (xi) Case No. 57 of 1967—Sri Parmanand Ghasi (B. No. 1811) shall be re-employed in his former designation (Swceper) by 14th September, 1967 in the usual way.
- (xii) Case No. 72 of 1967—Sri Lal Mohan Singh (B. No. 2237) shall be re-employed in his former designation (Baster Helper) by 14th October, 1967 in the usual way.
- (xiii) Case No. 76 of 1967—Punishment of 4 days suspension issued to Sri Sheo Prasad Singh (B. No. 1768) for absence without leave in the year 1966 shall be set aside but the final warning issued for the same shall stand.
- (xiv) Case No. 78 of 1967—Sri Phul Chand Pator (B. No. 770) shall be re-employed in his former designation (U/G Fitter, Helper) by 14th 1967 in the usual way.
- (xv) Case No. 82 of 1967—Sri Basudeo Pator (B. No. 8023) shall be re-employed in his former designation (U/G Fitter, Helper) by 14th October 1967 in the usual way.
- (xvi) Case No. 84 of 1967—The Management's application for the approval of the dismissal of Sri Amulya Rana (B. No. 4916) shall not be opposed before the Tribunal. The dismissal however, shall not be a bar against his Re-employment and Sri Rana may apply to the Mines Superintendent for consideration of his re-employment.

4. The parties could not agree on any settlement in respect of the main Reference No. 82 of 1967, case u/s 33A I.D. Act No. 22 of 1967 and the cases u/s 33 I.D. Act, No. 24 of 1967, No. 59 of 1967, No. 60 of 1967, No. 61 of 1967, No. 62 of 1967, No. 68 of 1967 and No. 69 of 1967 which remain unsettled to be decided by the Tribunal.

5 All other applications u/s 33 I.D. Act pending before the Tribunal and not settled hereto before shall not be opposed or contested before the Tribunal and shall be decided in favour of the Management.

6 Both the parties shall jointly apply to the Industrial Tribunal cum-Labour Court (C), Jabalpur, to take this settlement on record and dispose of the cases settled herein in terms of this compromise.

#### 1 Representing the Management:

(Sd.) T. C. W. H. BLAY,

(Sd.) K. RAMAMQORTHY

#### 2. Representing the Union;

(Sd.) H. B. SINGH ARSI,

(Sd.) S. N. ADITYA,

(Sd.) S. K. DAS.

Dated, 4th August, 1967.

Mosaboni Mines.

#### Witnesses:

1. (Sd.) M. N. SAHAI.

2. (Sd.) MOBARAK AHMED.

## "B"

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-  
LABOUR COURT, JABALPUR

Dated September 20, 1967

## PRESENT:

Shri G. C. Agarwala—Presiding Officer.

## Reference Under Section 10 I.D. Act

1. Ref. No. CGIT I.C(R)/(72)/67

## Cases under Section 33-A I.D. Act

1. Case No. CGIT/LC(A)/(18)/67

2. Case No. CGIT/LC(A)/(19)/67

3. Case No. CGIT/LC(A)/(21)/67

4. Case No. CGIT/LC(A)/(23)/67

## Applications Under Section 33(2) (b) I.D. Act

1. Application No. CGIT/LC(B)/(20)/67

2. Application No. CGIT/LC(B)/(27)/67

3. Application No. CGIT/LC(B)/(31)/67

4. Application No. CGIT/LC(B)/(35)/67

5. Application No. CGIT/LC(B)/(47)/67

6. Application No. CGIT/LC(B)/(40)/67

7. Application No. CGIT/LC(B)/(46)/67

8. Application No. CGIT/LC(B)/(49)/67

9. Application No. CGIT/LC(B)/(54)/67

10. Application No. CGIT/LC(B)/(57)/67

11. Application No. CGIT/LC(B)/(72)/67

12. Application No. CGIT/LC(B)/(76)/67

13. Application No. CGIT/LC(B)/(78)/67

14. Application No. CGIT/LC(B)/(82)/67

## PARTIES:

M/s Indian Copper Corporation Limited

## Versus

Their Workmen

## APPEARANCES:

For employers—Sri K. C. Goel, Legal Officer of the Corporation.

For opposite party.—S/Shri C. J. Vyas, Vice-President & H. B. Singh "Arsi",  
General Secretary of Mosaboni Mines, Labour Union, Ghatsila.

INDUSTRY: Copper.

DISTRICT: Singhbhum.

## ORDER

1. By Notification No. 8/25/67-LRII, dated April 25, 1967, the Ministry of Labour, Employment & Rehabilitation, Government of India, exercising powers under section 33B I.D. Act transferred 100 cases which were reference of Industrial Disputes, under Section 10 I.D. Act pending before the Central Government Industrial Tribunal, Dhanbad to this Tribunal. By the same order, it was stated that all cases arising out of those references, either under Section 33-A I.D. Act would also stand transferred to this Tribunal. In consequence of the aforesaid order, two References Nos. 4 and 79/65 of Industrial disputes between the Indian Copper Corporation Ltd. (to be hereinafter described as Corporation) and their workmen were transferred to this Tribunal. In connection with these references 10 cases under Section 33-A filed by individual workmen against the Corporation and 137 cases under Section 33(2)(b) or 33(3)(b) for approval for permission filed by the Corporation were also transferred to this Tribunal. A list of these cases are appended with this Order as Annexure "A". A few applications were also received subsequent to the transfer of the main references, from the Corporation in respect of action taken against certain other workmen and these are also stated in the Annexure "A". There is only one Union operating, both for the mines and is named as Mosaboni Mines Labour Union, to be hereinafter called, the Union. In all these cases the Corporation desired this Tribunal to determine the question whether the workman in every case was a concerned workman or not, as a preliminary question on the basis of observations made by the Hon'ble Supreme Court in Tata Iron & Steel Co. Ltd. Vs. D. R. Singh reported in 1965 (II)

I.L.J.P. 122. The Union claimed representation in 57 cases mentioned in list but they had authority from the workmen concerned in some and not in others. The Union, however under took to file the requisite authority in the remaining cases in which they have no such authority. Full-fledged arguments on the legal aspect of the matter were, therefore, heard so as to record a comprehensive order to govern all cases of the Corporation in which they wanted determination of this question as a preliminary point. This was done at camp Allahabad on 14th July 1967. After hearing arguments from both sides an order was recorded on 25th July 1967 which is annexure "B" to this order. The order disposed of the preliminary objection raised by the Corporation in so far as purely the legal aspect of the matter was concerned and was passed for all the cases of the Corporation irrespective of the fact whether the workman concerned was or was not represented through the Union. After the said order was passed in respect of those cases in which Union claimed representation, whether being references or applications under Section 33-A or 33(2)(b) or 33(3)(b) dates were fixed for evidence and hearing between 29th August and 3rd September, 1967 at camp Ghatsila, rather Mosaboni. Meanwhile, telegram was received on 11th August 1967 that most of the cases were being negotiated for compromise. Since, however, there were many cases in which Union was not representative of the opposite party in cases under Section 33 dates for hearing were altered but the tour programme was curtailed for three dates on 29th 30th and 31st August, 1967. On 29th August, 1967 compromise petition was filed by the parties in all the cases. From the terms of settlement main Reference No. 72/67 was compromised and some cases under Section 33-A and 33(2)(b) or 33(3)(b), were also compromised. Particulars of these cases are mentioned in paragraph 2 & 3 of the compromise petition. In para 4 of the petition it was stated that main Reference No. 82/67, one case under Section 33-A (No. 22/67) and seven cases under Section 33 particulars of which were stated in the compromise petition remained unsettled and were to be decided by the Tribunal. In para 5 of the petition, it was further stated that all other applications under Section 33 shall not be opposed or contested before the Tribunal, and shall be decided in favour of the management. The petition was signed by the representatives of the management and the Union. In furtherance of this compromise petition, two cases under Section 33-A No. 15 87 and 24/67 were disposed of and the terms of compromise for these cases were accepted. In other words, the compromise petition was acted upon by the parties at least on this date. For such cases which were not compromised and were stated in paragraph 4 it was decided to commence hearing and in fact main Reference No. 82/67 and another case under Section 33-A No. 22/67 were heard and evidence was recorded in subsequent dates. When the hearing commenced on 31st August, 1967 at camp Mosaboni applications were filed on behalf of the management in 19 cases that the management would not abide by the settlement for certain reason stated in the applications the settlement having been brought about under false representation and was voidable at the option of the Corporation. Compromise petition is annexure "C" to this order. The application of the management is annexure "D". After hearing preliminary arguments on this application of the management it was decided to hear full-fledged arguments purely on the point of law whether the management has an unfettered right to resile from the compromise settlement and 6th September, 1967 was fixed for the purpose at camp Dhanbad. It was expressly stated that purely the legal aspect of the question should be deleted and on the justifiability or otherwise of the action of the management. The representatives of the parties argued the law point but without rendering any real assistance to the Tribunal on the question of law. Some cases were cited by the representative of the management, most of which were irrelevant. None was cited on behalf of the Union. I have, however, endeavoured to find out any parallel case for guidance but I must confess that I could not come across any in my search. It is presumably because this a unique case of its kind wherein the parties have arrived at a back deal for compromise of cases pending before the Tribunal, one of them, rightly or wrongly felt aggrieved and attempted to resile from the position before the compromise could be examined and accepted in all the cases so as to be incorporated in the awards of this Tribunal and before a finality could be achieved. With the above narration of facts and observations the legal position may now be examined.

2. The Industrial Disputes Act defines a settlement in Section 2(p) as follows:—

"settlement" means a settlement arrived at in the course of conciliation proceedings and includes a written agreement between the employer and workmen arrived at otherwise than in the course of conciliation proceeding where such agreement has been signed by the parties thereto in such manner as may be prescribed and a copy thereof

has been sent to the appropriate Government and the Conciliation Officer”.

It defines a settlement in two categories, namely, those which are arrived at in the course of conciliation proceedings and such which are arrived at otherwise than in the course of conciliation proceedings. For the second category, there are certain requirements which have been prescribed under Rule 58 of Industrial Disputes (Central) Rules, besides the requirements that a copy of the same has to be sent to appropriate Government and the Conciliation Officer. Such a settlement arrived otherwise than in the course of conciliation proceedings under Section 18(1) it is binding on the parties to the agreement only. The first category of settlement arrived at in the course of conciliation proceedings as also arbitration award or an award of Labour Court or Tribunal under Sub-section (3) of Section 18 they are binding on all parties to the industrial dispute including the entire body of workmen as stated in Clause 3(d). The Act makes no provision about the position of a settlement arrived at otherwise than in conciliation proceedings but during the pendency of an industrial dispute before a Labour Court or Tribunal. When a reference is pending before a Labour Court or Tribunal whether a compromise petition fulfils the requirements of the definition of Section 2(p) I.D. Act or not, if the same is a reasonable and just settlement and is accepted by the Labour Court or Tribunal, it is incorporated in the award and then Section 18(3) is attracted. This power of the Labour Court or Tribunal to accept the compromise in the award is no more in doubt. In *Poona Mazdoor Sabha V. Dhutta* and another reported in 1956-II-LLJ p. 319 at page 321 Chagla C. J. made some doubtful observation as follows:

“Industrial law takes no notice of any private settlement or agreement arrived at between the parties in the course of an industrial dispute. Such a private agreement belongs to the realm of contract; it may give rise to contractual rights; but when we are dealing with industrial law it has no sanction whatsoever.”

But another portion of the judgement at page 323 however, nullified the sting of of the above observation. It runs as follows:—

“Industrial peace demands that sanctity should be attached to agreements freely arrived at by the parties and if the view went abroad that private settlements have no sanctity whatsoever, then there would be little chance of disputes ending by settlement between the parties. It will indeed be extremely unfortunate from the point of view of labour”.

From the aforesaid subsequent observation of the Learned Chief Justice, it is clear that sanctity was attached to agreements freely arrived at and should be honoured and acted upon by the Tribunals. The Kerala High Court in 1957 (II) I.L.J. p. 45 *Krishnakutty Nair V. Industrial Tribunal* considered this question as also the rights of the parties to adjust their differences wholly or in part by lawful agreements or compromise. The following is a material passage which needs reproduction:

“Now, it is the elementary right of the parties to a dispute to adjust their matters of difference wholly or in part, by any lawful agreement or compromise. And every authority entrusted with the task of adjudicating, the dispute was a duty, not a discretion, to record such agreement or compromise subject possibly to an inherent power or refusal when substantial injustice would be worked. A Tribunal therefore, to whom an industrial dispute is referred for adjudication under Section 10(1) (C) of the Industrial Disputes Act, must record a lawful agreement or compromise placed before it by the disputants. There is nothing in the Act to suggest that a particular class of agreement or compromise is outside its scope, though whether a particular compromise is lawful or not will vary with the varying character of different disputes. The expression “determination” in the definition of “award” in the Act indicates only a coming to an end, may be in any way whatever, though it may require examination and choice”.

On the principle enunciated in the above ruling, the Industrial Tribunals have been accepting compromise agreements arrived at freely and lawfully and incorporated the same in their awards. The question, however, is whether a party having entered into a lawful agreement has an unfettered and inherent right without showing just cause to resile from the same. There is no direct case law on the point but a few which have some relevancy may be stated



3. The Madras High Court in workers employed in 32 textiles mills, Coimbatore District Mill Workers' Union Vs. Dhanalakshmi Mills Ltd. 1960 (II) LLJ p. 556-A.I.R. 1960 (Mad) page 212 observed that the Industrial Tribunals have no power similar to one under Order XXIII R3 CPC to record a compromise. In the next paragraph, however, the position was made clear by the following passage:—

"this does not, however, mean that the Tribunal is precluded from taking note of a compromise entered into between the workers and the management. Where there is a compromise, it should consider whether, in its opinion, the compromise could be adopted as its own determination of the dispute, i.e. whether it is fair, just and equitable between the parties".

4. In the ruling under consideration, three of the Union and the management of the mills entered into a compromise agreement. Another Union which was not a party to the agreement but represented a substantial number of workmen of the mills did not accept the compromise and desired determination by the Tribunal. The Tribunal overruled the objection and accepting the compromise agreement recorded an award. It was in this context that the Hon'ble High Court made the above observation and held that as the Union was entitled to be heard under Section 36 I.D. Act, the Tribunal was wrong in ignoring the request and accepting the compromise.

5. The Allahabad High Court in a case Raza Textile Labour Union Vs. R. Mohan reported in I.F.L.R. 1964(8) p. 306 which has some bearing on the question considered the effect of a settlement before a statutory arbitrator under U.P. Industrial Disputes Act and which was not registered as required by Section 6B of the U.P. Act. This Section requires an agreement to be registered before the Conciliation Officer in the prescribed manner if arrived at outside conciliation proceedings. It was held that Section 6B was a self contained provision and the unregistered settlement incorporated in the award was binding by virtue of Section 6(5) of the Act. The case is therefore, is of no material help except for the position that a settlement not having been brought about in a prescribed manner can nevertheless be acted upon. The material clue, however, is furnished by the observation of the Hon'ble Supreme Court in Swadeshi Cotton Mills Vs. Raieswar Prasad and others reported in 1960 II-LLJ p. 707. That was a case where after the decision of the Labour Appellate Tribunal, the parties entered into a compromise in respect of an appeal pending before the Hon'ble Court. The Supreme Court framed two issues, one on the factual aspect of the compromise and second, whether it was a valid one, and remitted them for a finding from the Tribunal. The Tribunal found that the compromise had in fact taken place and was a valid one. The Supreme Court accepted the findings and disposed of the appeal in terms of the compromise. At page 710, the following material observation was made:—

"Just as an industrial dispute could have been settled between the parties either before it was referred for adjudication to the Industrial Tribunal, or after it was referred and before the award was pronounced by the Tribunal, so would it be open to the parties to settle the dispute so long as it was pending either before the Labour Appellate Tribunal or before the Court".

From the above observation it is clear that even during the pendency of a case before a Tribunal the parties can legitimately compromise the dispute. In the last but one paragraph of the judgment at page 711, the following observation clinches the whole matter:—

"The compromise in question is intended to be filed in this Court for the purpose of enabling the parties to request this Court to pass an order in terms of the said compromise. The procedure for obtaining such an order which was to be followed is the procedure prescribed by the rules of this Court just as, if a compromise was reached before the Tribunal, the procedure to be followed before it would be the procedure prescribed by its rules".

From the above observation, it is evident that when a compromise is filed before a tribunal, the tribunal has to ascertain firstly, the fact of the compromise and secondly the validity thereof. Even though, therefore, provisions of Order XXIII Rule 3 C.P.C., may not be available to the tribunal, yet on general principles if a valid compromise has been reached it would be the duty of the tribunal to examine the same and accept the same if found valid. After all, a compromise is a contract and under Section 10 of the Indian Contract Act all agreements

are contracts if they are made by the free consent of the parties competent to contract, for a lawful consideration and with a lawful object and are not hereby expressly declared to be void". Consequently, the rule incorporated in Order XXIII R. 3 C.P.C. is based on the sound principle of freedom of contracts and the requirements are the same as are found in the definition of Section 10 of the Contract Act. Even though, therefore, O. XXIII R. 3 C.P.C. may not be applicable yet the tribunal would apply the general principles, particularly when the object of industrial adjudication is to achieve industrial peace and settle the disputes on considerations of social justice. When no rules of procedure are prescribed regarding any compromise arrived at during the pendency of a case before the Tribunal, the general principle will apply on the lines indicated by the Hon'ble Supreme Court in *Swadeshi Cotton Mills case* (supra).

6. It is, therefore, held that the Corporation has not got an unfettered right to resile from the compromise arrived at in these cases and the fact of the compromise to gather with its validity will have to be enquired into as a question of fact. The parties will, therefore, be directed to adduce necessary evidence on the point and will be informed accordingly.

7. After the order was dictated on 20th September, 1967 and before it could be transcribed and signed the representative of the management, Shri K. C. Goel, has applied that the application dated 30th August, 1967 resiling from the compromise is not being pressed and the management would abide by the compromise settlement arrived at on 4th August, 1967. That being so, there is no necessity left to call for evidence on the point of fact whether there was a compromise entered into and the same was valid and lawful one.

(Sd.) G. C. AGARWALA,

Presiding Officer.

Dictated on 20th September, 1967

Transcribed on 28th September, 1967

Central Government Industrial

Tribunal-cum-Labour Court, Jabalpur

*List of the Cases under Section 33 (2) (b)*

ANNEXURE "A"

Sl. No.	Case No. Jabalpur Dhanbad	Name of the parties
1	2	3
1	CGIT/LC (B) (18)/67 (15/65)	M/s. Indi n Copper Cor- poration Ltd. Vs. Shri Mosu, No. 1228 Car Driver
2	Do. (19)/67 (3 )/65	Do. Shri Lasoo Majhi No 2429, R/Checker
3	Do. (29)/67 (36/65)	Do. Shri Muchiram, B. No. 7582, M/Sweeper
4	Do. (21)/67 (38/65)	Do. Shri Suran Purty, No 8070, S/Checker
5	Do. (22)/67 (39/67)	Do. Shri Rajendra Singh No. 5799, Sepoy
6	Do. (23)/67 (40/65)	Do. Shri M.K. K. Nair. No 7856, R/Checker
7	Do. (24)/67 (41/65)	Do. Shri Amia Naik, No. 1367 Cr. Mazdur
8	Do. (25)/67 (43/65)	Do. Shri Guha Bah. Chetty No. 8131, M/R.

1	2	3
9	CGIT/LC (B) (26)/67 (45/65)	IndianCopper Cor- V1. Shri Bideshl Bren No. 1769, poration Ltd. M/Sweeper
10	Do. (27)/67 (46/65)	Shri Dhananjoy Pator No. 5619, Mucker
11	Do. (28)/67 (47/65)	Shri Bhatla Majhi, No- 910, M/Mazdoor
12	Do. (29)/67 (48/65)	Shri Ghasiram Naik No. 7272, Trammer
13	Do. (30)/67 (50/65)	Shri Bidooram Sardar, No. 4507
14	Do. (31)/67 (51/65)	Shri Muneswar, No. 6495, Trammer
15	Do. (32)/67 (54/65)	Shri Kalu, No. 7513, M/Sweeper
16	Do. (33)/67 (56/65)	Shri Tila, No. 5772, F/Sweeper
17	Do. (34)/67 (57/65)	Man Bah Gurung, No. 5770 Sepoy
18	Do. (35)/67 (59/65)	Muneswar, No. 6595, Tram- mer
19	Do. (36)/67	Bom Bah. Tamang, No. 7708, Mucker
20	Do. (37)/67 (60/67)	Haripada Karmakar, No. 5178
21	Do. (38)/67 (65/65)	Md. Abbas No. 2382, Bi/ Helper
22	Do. (39)/67 (1/66)	Sk. Munu, No. 5974 Mucker
23	Do. (40)/67 3/66	Bhuban Narayan Deo, No. 7981
24	Do. (41)/67 (4/66)	Pratima, No. 5716, F/ Sweeper
25	Do. (42)/67 (5/66)	Bhuban Bah. Thappa, No. 5719, Sepoy
26	Do. (43)/67 11/65	Bibhisan, No. 7529, M/ Sweeper
27	Do. (44)/67 13/66	Baldeb, No. 5101, M Sweeper
28	Do. (45)/67 14/66	Shib Shankar Nair, No. 7989, Mucker

1	2	3
29	CGIT/LC (B) (46)/67	Indian Copper Corpora- tion Ltd. Vt. Ram Bilas Singh, No. 3819
30	Do. 15/66 (47)/67	Do. Muneswar, No. 6495, Trammer
31	Do. 26/66 (48)/67	Do. Bhola Karmakar, No. 2015, Mucker
32	Do. 27/66 (49)/67	Do. Abdul Karim, No. 4664, Mucker
33	Do. 28/66 (50)/67	Do. Jogendra Prasad, No. 734, M/Mazdur
34	Do. 30/66 (51)/67	Do. Balbir Singh, No. 7810, Mucker
35	Do. 31/66 (52)/67	Do. Magan Pator, No. 2482, M/Mazdoor
36	Do. 32/66 (34)/67	Do. Md. Burhan No. 4644, Trammer
37	Do. 33/66 (54)/67	Do. Naiki Hoe, No. 7722, T/Mazdoor
38	Do. 36/66 (55)/67	Do. Haripada Pator No. 3204, Mucker
39	Do. 37/66 (56)/67	Do. Prem Bah. Tamang, No. 4620, Mucker
40	Do. 46/66 (56/A)/67	Do. Tak Bah. Chetrry, No. 2593
41	Do. 54/66 (57)/67	Do. Parmanand Ghasi, No. 1811, M/Sweeper
42	Do. 64/66 (58)/67	Do. Sripat Pator, H. No. 1697,
43	Do. 67/66 (59)/67	Do. Sudhan Sharma, No. 359, Blacksmith
44	Do. 68/66 (60)/67	Do. Abdul Manan, No. 867, F. G. M.
45	Do. 69/66 (61)/67	Do. Nasiruddin Khan, No. 872, F.G. Mazdoor
46	Do. 70/66 (62)/67	Do. Dhananjoy Singh, No. 5062
47	Do. 71/66 (63)/67	Do. S. Moni, No. 7485, Muc- ker
48	Do. 75/66 (64)/67	Do. Bishwanath Pator, No. 3790, H/Mazdoor
	76/66	

I	2	3
49	CGIT/LC (B)	(65)/67
		78/66
50	Do.	(66)/67
		81/66
51	Do.	(67)/67
		82/66
52	Do.	(68)/67
		87/66
53	Do.	(69)/67
		88/66
54	Do.	(70)/67
		99/67
55	Do.	(71)/67
		93/66
56	Do.	(72)/67
		95/66
57	Do.	(73)/67
		4/67
58	Do.	(74)/67
		5/67
59	Do.	(75)/67
		6/67
60	Do.	(76)/67
		7/67
61	Do.	(77)/67
		8/67
62	Do.	(78)/67
		13/67
63	Do.	(79)/67
		14/67
64	Do.	(80)/67
		15/67
65	Do.	(81)/67
		16/67
66	Do.	(82)/67
		39/67
67	Do.	(84)/67
		41/67
68	Do.	(85)/67
		42/67

1	2	3
69.	CGIT/LC (B) (86)/67	Indian Copper Corporation Ltd. Vs. Bhimbadhar Dhir, No. 5855
70.	Do. 43/67 (87)/67	Do. N. K. Colombo, No. 3111, Trammer.
71.	Do. 59/67 (88)/67	Do. Vs. Md. Burhan, No. 4644, Trammer.
72.	Do. 60/67 (89)/67	Do. Gope Bahadur Chettry, No. 2096, Mucker.
73.	Do. 61/67 (90)/67	Do. Shri Raghunath, No. 1874, M/Sweeper.
74.	Do. 63/67 (91)/67	Do. Shri Rajendra Kaithartha, No. 3022, Mucker.
75.	Do. 64/67 (92)/67	Do. Shri Chure Pun, No. 5072, Sepoy.
76.	Do. 65/67 (93)/67	Do. Dagam Singh Ghale No. 7695, Sepoy.
77.	Do. 66/67 (95)/67	Do. Nara Hoc, No. 5673, P. F. Helper.
78.	Do. 68/67 (96)/67	Do. Nuruddin Mian, No. 2920, Blaster.
79.	Do. 69/67 (97)/67	Do. Chet. Bah. Chettry, No. 3796 Mucker.
80.	Do. 70/67 (98)/67	Do. Sanghi Bodra, No. 6332 Trammer.
81.	Do. 71/67 (99)/67	Do. Chamba Singh Lama, No. 8066, Blaster.
82.	Do. 72/67 (100)/67	Do. Darud Khan, No. 6005, Mucker.
83.	Do. 73/67 (101)/67	Do. Sakal Bah. Darjee, No. 6070, Mucker.
84.	Do. 74/67 (102)/67	Do. Bhaban Pator, No. 2431, Mucker.
85.	Do. 75/67 (103)/67	Do. Keshab Majhi, No. 4183, Mucker.
86.	Do. 76/67 (104)/67	Do. Ram Majhi, No. 4796, M/Sardar.
87.	Do. 77/67 (105)/67	Do. Lal Bah. Chettry, No. 8438, Mucker.
88.	Do. 78/67 (106)/67	Do. Vs. Bikram Murmoo, No. 7871, Mucker.
	79/61	

1	2	3
89	COIT/LC (B) (107)/67 80/67	Indian Copper Co. Por- tion Ltd., Vs. Ram Chandra Giri, 5448, M/R. No.
90.	Do (108)/67 81/67	Do Lakhinder Majhi, No. 5879, Mucker.
91	Do. (109)/67 82/67	Do. Pune Darjee, No 4833, Trammer.
92.	Do. (110)/67 83/67	Do. Makar Bah. Lama, No. 4842, M/R.
93.	Do (111)/67 84/67	Do. Lakhan Lal Ncor, No. 7342, M/R.
94.	Do. (112)/67 85/67	Do. Lal Bah Tamang, No. 3533, M/R.
95.	Do (113)/67 86/67	Do. Bhakta Bah. Sonar, No. 4338, M/R.
96.	Do (114)/67 87/67	Do. Krishna Bah. Srista No. 4740, Mucker.
97.	Do (115)/67 88/67	Do. Lal Bah. Tamang, No. 7935, Mucker
98.	Do. (116)/67 89/67	Do. Sher Bah. Chetty, No. 3597, M/R.
99	Do (117)/67 90/67	Do. Padam Bah. Chetty, No. 4047, M/R.
100	Do. (118)/67 91/67	Do. Padam Bah. Lama, No. 2944, M/R.
101	Do. (119)/67 92/67	Do. Som Bah. Thappa, No. 2813, Mucker
102	Do (120)/67 93/67	Do. Prem Bah. Neor, No. 3605, Mucker
103.	Do. (121)/67 94/67	Do. Prem Bah. Chetty, No. 2609, Mucker.
104.	Do. (122)/67 94/67	Do. Kashilingam, No. 2026, Mucker.
105.	Do (123)/67 96/67	Do. Prafulla Simli, No. 2859, Mucker.
106.	Do (124)/67 97/67	Do. Salkhan Hansda, No. 8477, Mucker.
107.	Do. (125)/67 98/67	Do. Talak Bah. Chetty, No. 7862, Mucker.
108.	Do (126)/67 99/67	Do. Dhanu Hansda, No. 2896, T/Mazdoor.

1	2	3
109.	CGIT/LC (B)	(127)/67 Indian Copper Corpora- Vt. Kharga Bah. Thappa, No tion Ltd. 4844, Mucker.
		100/67
110.	Do.	(128)/67 Do. . . Ananda Sardar, No 2048, T Mazdoor.
		101/67
111.	Do.	(129)/67 Do. Padam Bah. Lama, No. 7075, T Mazdoor.
		102/67
112.	Do.	(130)/67 Do. . . Nar Bah. Darjee, No. 4867, Trammer.
		103/67
113.	Do.	(131)/67 Do. . . Surbir Chetty, No. 5598, Trammer.
		104/67
114.	Do.	(132)/67 Do. . . Thiraj Upadhyia No. 4803, Trammer.
		105/67
115.	Do.	(133)/67 Do. . . Hari Giri, No 2636, Mucker.
		106/67
116.	Do.	(134)/67 Do. . . Bil Bah. Chetty, No, 4474, Mucker.
		107/67
117.	Do.	(135)/67 Do. . . Chabilal Neor, No 4373, Trammer.
		108/67
118.	Do.	(136)/67 Do. Dhir Singh No. 5154, U/G. Sweeper.
		109/67
119.	Do.	(137)/67 Do. . . Kushmu Majhi, No. 5894, Mucker.
		110/67
120.	Do.	(138)/67 Do. . . Birka Bah. Thappa, No. 4991, M/R.
		111/67
121.	Do.	(139)/67 Do. . . Ismailuddin, No. 2702, Mucker.
		112/67
122.	Do.	(140)/67 Do. . . Karna Bah. Mogor, No. 2012, Mucker.
		113/67
123.	Do.	(141)/67 Do. . . Aswini Kr. Adhikari, No. 2323, Mucker.
		114/67
124.	Do.	(142)/67 Do. . . Ratna Bah. Chetty, No 2257, B/Hr.
		115/67
125.	Do.	(143)/67 Do. . . Thakram Darjee, No. 2951, J/Mazdoor.
		116/67
126.	Do.	(144)/67 Do. . . Ram Bah. Chetty, No. 3009, Mucker.
		117/67
127.	Do.	(145)/67 Do. . . Dasmat Majhi, No. 2643 T/Mazdoor.
		118/67
128.	Do.	(146)/67 Do. . . Netra Bah. Thappa, No. 8033, Mucker.
		119/67



1	2	3	
129.	CGIT/L (B)	(147)/67 Indian Copper Corporation Ltd. Vs. Bhim Bah. Upadhya, No. 8064, Mucker.	
	Do.	<u>120/67</u> (148)/67	Do.
		R. Rajee, No. 6230, Lorry Driver.	
	Do.	<u>121/67</u> (149)/67	Do.
		C. Debda, No. 3258, Shaft Mazdoor.	
	Do.	<u>122/67</u> (150)/67	Do.
		Sashi Bhusan Bhakat, No. 5205, H/Mazdoor.	
	Do.	<u>123/67</u> (151)/67	Do.
		C. Debda, No. 3258, Shaft Mazdoor.	
	Do.	<u>124/67</u> (152)/67	Do.
		Girish, No. 1884, M. Mazdoor.	
	Do.	<u>134/67</u> (153)/67	Do.
		Tajuddin Mia, No. 5488, Trammer.	
	Do.	<u>135/67</u> (154)/67	Do.
		Kashim Khan, No. 8056, Trammer.	
	Do.	<u>136/67</u> (180)/67	Do.
		Lal Bah. Chetty, No. 2037.	
	Do.	<u>62/67</u> (181)/67	Do.
		Hariram Belder, No. 8498, Mucker.	
	Do.	(182)/67	Do.
		Ladu Hoe, No. 3646.	
	Do.	(183)/67	Do.
		Chandrai Majhi, No. 7951, Mucker.	
	Do.	(184)/67	Do.
		Srinath Majhi, No. 2669, T/Mazdoor.	
	Do.	(185)/67	Do.
		Pancha Keshram, No. 4715, Mucker.	
	Do.	(186)/67	Do.
		Jittu Mahali, No. 5812, Mucker.	
	Do.	(187)/67	Do.
		Kandey Hoe, No. 4619, Mucker.	
	Do.	(188)/67	Do.
		Rattan Sabar, No. 7977, Trammer.	
	Do.	(189)/67	Do.
		Dukhu Mukhi, No. 8640, M/Sweeper.	
	Do.	(190)/67	Do.
		Ashram, No. 5170, M/Sweeper.	
	Do.	(191)/67	Do.
		Shri Suren Pator, No. 7719, M/Mazdoor.	
	Do.	(192)/67	Do.
		Bhagbati, No. 5116, M/ Mazdoor.	
	Do.	(193)/67	Do.
		Rengta Majhi, No. 7426, Trammer.	
	Do.	(194)/67	Do.
		Bhali, N. No. 7524, M/ Sweeper.	
	Do.	(195)/67	Do.
		Narendra Behra, No. 7619, M/Sweeper.	
	Do.	(196)/67	Do.
		Haradhan Bhari, No. 7067, Trammer.	

I	2	3
154	CGIT/LC (B) (197)/67	Indian Copper Corpora- tion, Ltd. Vr. Padam Ch. Naik, No. 1814, M/Sweeper.
155	Do. (198)/67	Do. Sidia Bhoipai, No. 2975, Trammer.
156	Do. (199)/67	Do. Rattan Sagar, No. 8642 M/Sweeper.
157	Do. (200)/67	Do. Kartik, No. 8660, M/ Sweeper.
158	Do. (202)/67	Do. Som Bah. Lama, No. 3291, Mucker.
159	Do. (203)/67	Do. Makardhaj Chetty No. 5820, H/Mazdoor.
160	Do. (204)/67	Do. Ismailuddin, No. 4655, Trammer.
161	Do. (205)/67	Do. Tck Bah. Gurung No. 4753, Mucker.
162	Do. (206)/67	Do. Kharga Bah. Chetty No. 7870, Mucker.
163	Do. (207)/67	Do. Kripa Singh Lama No. 8021, Mucker.
164	Do. (208)/67	Do. Rana Bah. Chetty No. 4559, Trammer.
165	Do. (209)/67	Do. Padam Bah. Thakuri No. 4780, Mucker.
166	Do. (210)/67	Do. Lal Bah. Chetty, No. 4724, Mucker.
167	Do. (211)/67	Do. Him. Bah. Chetty No. 6113, Mucker.
168	Do. (213)/67	Do. Sukra Mahakur, No. 819, M/Mazdoor.
169	Do. (215)/67	Do. Narain Giri B. No. 7093, Mucker.
170	Do. (216)/67	Do. Mohammad Pin, B. No. 3440, Mucker.
171	Do. (217)/67	Do. Padam Bah. Chetty No. 4920, M. Runner.
172	Do. (218)/67	Do. Som Bahadur Neor, No. 8458, Mucker.
173	Do. (219)/67	Do. Basant Kumar Mahapatra No. 202, Driver Ct. II.
174	Do. (220)/67	Do. Bhadra Bahadur, Nagar, No. 4442, T. Mazdoor.
175	Do. (221)/67	Do. Kannan Naidu, N. No. 2506, Hosting Mazdoor.
176	Do. (222)/67	Do. Debir Prasad Srista No. 2620, Round Checker.
177	Do. (224)/67	Do. Kishuna Majhi, No. 6102, M/Mazdoor.
178	Do. (227)/67	Do. Deleswar Mahanandia, No. 7834, Male Sweeper.
179	Do. (228)/67	Do. Arjoon Majhi, No. 2519, T/Mazdoor.
180	Do. (233)/67	Do. Bhubaneswar Choubey B. No. 5065, Sepoy.

**S.O. 289.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Presiding Officer, Central Government Industrial Tribunal, Jabalpur, in the matter of applications under section 33A of the said Act, from Sri Periappa Naidu, B. No. 7336, Hoisting Mazdoor, Bottom Section and Sri R. Ramaswamy, B. No. 3429/E, Electrician—1st Class, represented by Mosaboni Mines Labour Union, Post Office Mosaboni Mines, District Singhbhum, Bihar, which was received by the Central Government on the 28th December, 1967.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-  
LABOUR COURT, JABALPUR.**

*Dated November 27, 1967.*

**PRESENT:**

Sri G. C. Agarwala.—*Presiding Officer.*

- (1) COMPLAINT NO. 4 OF 1966 (DHANBAD TRIBUNAL)  
COMPLAINT NO. CGIT/LC(A)(21)/67 (JABALPUR TRIBUNAL)  
AND  
(2) COMPLAINT NO. 1 OF 1967 (DHANBAD TRIBUNAL)  
COMPLAINT NO. CGIT/LC(A)(23)/67 (JABALPUR TRIBUNAL)

**PARTIES:**

(Under Section 33-A I.D. Act.).

Employers in relation to M/s. Indian Copper Corporation Ltd.—  
Opp. Party.

*Versus:*

- |   |              |
|---|--------------|
| (1) Sri Periappa Naidu, B. No. 7336, Hoisting Mazdoor Bottom<br>Section C/o Mosaboni Mines, Labour Union, P.O. Mosaboni Mines, Distt Singhbhum (Bihar). | } Applicants |
| (2) Sri R. Ramaswamy, B. No. 3429/E, Electrician—1st Class<br>C/o Mosaboni Mines Labour Union, P.O. Mosaboni Mine.<br>Distt Singhbhum, Bihar.           |              |

**ORDER/AWARD**

These were two complaints filed by two employees of Indian Copper Corporation Ltd., P.O. Mosaboni Mines under Section 33-A I.D. Act. Complainant in case No. 21/67 is one Sri Periappa Naidu and in case No. 23/67 the complainant is Sri R. Ramaswamy. It was alleged that during the pendency of References Nos. 4 and 79/67 of the Dhanbad Tribunal which were transferred to this Tribunal and were numbered as 72/67 and 82/67 respectively conditions of the service of the complainants have been changed inasmuch as they have been denied the benefit of earned leave during the year 1965 and therefore conditions of service have been changed. Both these complaints were also transferred along with the parent references by Notification No. 8/25/67-LR-II dated 25th April, 1967. In the initial stages the management raised a plea that the complainants were not the concerned workmen in the references in question of industrial dispute. After this question was decided by a comprehensive order in respect of these and other similar cases, dates for hearing were fixed after settlement of issues. Before, however, evidence could be recorded the management and the Union, Mosaboni Mines Labour Union, entered into a pack deal compromising most of their cases including these two cases. The management after filing the compromise petition which is annexure "A" to this order first attempted to resile from the compromise settlement and for which after hearing arguments, an order was recorded which is Annexure 'B' to this order. The management, however, later on withdrew the objection and accepted the compromise agreement by means of application which is "C" this order. As the terms of the compromise settlement would show the management has agreed to allow earned leave to both the complainants for the year 1965. The controversy is thus resolved to the satisfaction of the complainants and an order is recorded accordingly. A copy of this order be placed in the record of each case.

Since the order amounts to an award it shall be submitted to the Government of India, Ministry of Labour and Employment, for publication in the Gazette of India.

Sd./- G. C. AGARWALA,  
Presiding Officer  
27-11-1967.

“A”

(TRUE COPY)

*Memorandum of Settlement between the Management of Indian Copper Corporation Ltd. and their workmen of Mosaboni Mines represented by the Mosaboni Mines Labour Union, in respect of the Industrial Disputes pending adjudication before the Industrial Tribunal-cum-Labour Court (Central) at Jabalpur.*

### *Names of Parties*

#### *Representing the Management.*

1. Mr. T.C.W.H. Blay, Ag., M.S.

2. Mr. K. Ramamoorthi—L.O.

#### *Representing by Workmen.*

1. Mr. H. B. Singh Arsi, General Secretary, M.M.L.U.

2. Mr. S. K. Das, Asst., Secretary, M.M.L.U.

3. Mr. S. N. Aditya, Asst., Secretary, M.M.L.U.

### *Short Recital of the case:*

Whereas in its letters No. MMLU/103/MS/64 dated 3rd October, 1964, and No. MMLU/G-3A(CO)/64-3 dated 8th November, 1964, the Mosaboni Mines Labour Union raised Industrial Disputes for reinstatement of Shri Bhupati Sen (Badge No. 5998) and for supply of free electricity and fuel to Shri U. C. Patnaik (Badge No. 1706) respectively.

And whereas these disputes were referred by the Government of India in the Ministry of Labour, Employment and Rehabilitation to the Central Government Industrial Tribunal for adjudication.

And whereas during the pendency of the aforesaid references before the Industrial Tribunal, various applications u/s. 33(2)(b) and u/s. 33(3)(b) of the Industrial Disputes Act have been made by the Management and complaints u/s. 33A of the Industrial Disputes Act have been made by the certain workmen.

And whereas the aforesaid two References are pending as No. 72 of 1967 and No. 82 of 1967 before the Industrial Tribunal-cum-Labour Court (Central) at Jabalpur and the cases under Sections 33 and 33A I.D. Act are also pending before the same Tribunal and numbered as detailed in the Schedules 'A' and 'B' annexed hereto.

And whereas the Parties hereto, with a view to create better understanding, promote healthy Industrial Relations and maintain Industrial peace, after repeated discussions have arrived at an amicable settlement on this Friday, the 4th of August 1967 on the following terms and conditions:—

### *Terms of settlement:*

1. In the main Reference case No. 72 of 1967, it is agreed that Shri Bhupati Sen shall be reinstated as a special case and is allowed one month's time to resume duty. The intervening absence from the date of Shri Bhupati Sen's dismissal till the date of his resuming duty under this settlement shall be treated as special leave with loss of all benefits. Shri Bhupati Sen's wages shall be the same as he was getting at the time of his dismissal.

2. In respect of the cases u/s. 33A I.D. Act, it is agreed as follows:—

- (i) Case No. 15 of 1967—The complaint of Sri Abdul Haque Khan (B No. 461/E) shall not be pressed before the Tribunal.
- (ii) Case No. 16 of 1967—Sri Ganguli Singh (B. No. 5055/WW) shall be allowed one day off for 7th June, 1965, but this shall not form a precedent.
- (iii) Case No. 17 of 1967—The complaint of Sri Jitrai Mahali (S. No. 5221) shall not be pressed before the Tribunal.
- (iv) Case No. 18 of 1967—Sri J. N. Bhattacharjee (B. No. 1400/E) shall be given a special Increment of 42 paise with effect from 1st August, 1967.
- (v) Case No. 19 of 1967—Sri S. B. Barua (B. No. 5724) shall be paid Acting Allowance for 18 days, i.e., from 22nd February, 1965, to 25th February 1965, and from 1st March, 1965, to 14th March, 1965.

- (vi) Case No. 20 of 1967—The complaint of Sri M. M. Pati (B. No. 6236) shall not be pressed before he Tribunal.
- (vii) Case No. 21 of 1967—Sri Periappa Naidu (B. No. 7336) shall be allowed leave for the year 1965.
- (viii) Case No. 23 of 1967—Sri R. Ramaswamy (B. No. 3429) shall be allowed leave for the year 1965.
- (ix) Case No. 24 of 1967—The Warning Chit No. 24003 issued to Sri Ram Bilas Singh (B. No. 3819) for absence without leave for 2 days, i.e., 18th and 19th of November, 1966, shall be cancelled.

3. In respect of the cases u/s. 33(2) (b) and 33(3) (b) of the I.D. Act it is agreed as follows:—

- (i) Case No. 18 of 1967—Management's application for approval of dismissal of Sri Basu (B. No. 1228) shall not be opposed before the Tribunal. However, the dismissal shall not be considered as a bar against his seeking fresh employment.
- (ii) Case No. 20 of 1967—Muchi Ram (B. No. 7582) shall be re-employed in his former designation (Sweeper) by 14th September, 1967, in the usual way.
- (iii) Case No. 27 of 1967—Sri Dhananjoy Pator (B. No. 5619) shall be re-employed in his former designation (Mucker) by 14th October, 1967, in the usual way.
- (iv) Case No. 31 of 1967. } Sri Puneswar (B. No. 6495) shall be re-employed  
Case No. 35 of 1967. } in his former designation (Trammer) by 14th  
Case No. 47 of 1967 } October, 1967, in the usual way.
- (v) Case No. 39 of 1967—The Management's application for approval of the dismissal of Sri Sk. Munu (B. No. 5974) shall not be opposed before the Tribunal. However, the dismissal shall not be considered as a bar against his seeking fresh employment, and he may apply to the Mines Superintendent for consideration of his re-employment.
- (vi) Case No. 40 of 1967—Sri Bhuban Narayan Deo (B. No. 7981) shall be re-employed in his former designation (Timber Mazdoor) by 14th October, 1967, in the usual way.
- (vii) Case No. 45 of 1967—The Management's application for approval of the action taken against Sri Shib Shankar Nair (B. No. 7989) shall not be opposed before the Tribunal.
- (viii) Case No. 46 of 1967—Punishment of 4 days suspension issued to Sri Ram Bilash Singh (B. No. 3819) for absence without leave from 21st March, 1966 to 3rd April, 1966, shall be set aside but the final warning issued for the same shall stand.
- (ix) Case No. 49 of 1967—Sri Abdul Karim (B. No. 4664) shall be re-employed in his former designation (Mucker) or by 14th October, 1967, in the usual way.
- (x) Case No. 54 of 1967—Shri Naiiki Hoe (B. No. 7722) shall be re-employed in his former designation (Timber Mazdoor) by 14th October, 1967, in the usual way.
- (xi) Case No. 57 of 1967—Sri Parmanand Ghasi (B. No. 1811) shall be re-employed in his former designation (Sweeper) by 14th September, 1967, in the usual way.
- (xii) Case No. 72 of 1967—Sri Lal Mohan Singh (B. No. 2237) shall be re-employed in his former designation (Baster Helper) by 14th October, 1967, in the usual way.
- (xiii) Case No. 76 of 1967—Punishment of 4 days suspension issued to Sri Sheo Prasad Singh (B. No. 1768) for absence without leave in the year 1966, shall be set aside but the final warning issued for the same shall stand.
- (xiv) Case No. 78 of 1967—Sri Phul Chand Pator (B. No. 770) shall be re-employed in his former designation (M. Mazdoor) by 14th October, 1967, in the usual way.
- (xv) Case No. 82 of 1967—Sri Basudeo Pator (B. No. 8023) shall be re-employed in his former designation (U/G Fitter, Helper) by 14th October, 1967, in the usual way.
- (xvi) Case No. 84 of 1967—The Management's application for the approval of the dismissal of Sri Amulya Rana (B. No. 4916) shall not be opposed before the Tribunal. The dismissal however, shall not be a bar

against his Re-employment and Sri Rana may apply to the Mines Superintendent for consideration of his re-employment.

4. The parties could not agree on any settlement in respect of the main Reference No. 82 of 1967, case u/s 33A I.D. Act No. 22 of 1967 and the cases u/s 33 I.D. Act, No. 24 of 1967, No. 59 of 1967, No. 60 of 1967, No. 61 of 1967, No. 62 of 1967, No. 68 of 1967 and No. 69 of 1967, which remain unsettled to be decided by the Tribunal.

5. All other applications u/s 33 I.D. Act pending before the Tribunal and not settled hereto before shall not be opposed or contested before the Tribunal and shall be decided in favour of the Management.

6. Both the parties shall jointly apply to the Industrial Tribunal-cum-Labour Court (C), Jabalpur, to take this settlement on record and dispose of the cases settled herein in terms of this compromise.

#### 1. Representing the Management

Dated: 4th August, 1967  
Mosaboni Mines.  
Witnesses:

Sd./- T. C. W. H. BLAY.  
Sd./- K. RAMAMOORTHY.

1. Sd./- M. N. SAHAL.

2. Sd./- MOBARAK AHMED.

#### 2 Representing the Union.

Sd./- H. B. SINGH ARSI.  
Sd./- S. N. ADITYA.  
Sd./- S. K. DAS.

"B"

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM  
LABOUR COURT, JABALPUR

*Dated September 20, 1967*

PRESENT:—

Shri G C Agarwala—Presiding Officer.

#### REFERENCE UNDER SECTION 10 I. D. Act

1 Ref No. CGIT/LC(R) 72/67.

#### CASES UNDER SECTION 33-A I.D. Act

1. Ref. No. CGIT/LC(A)/(18)/67.

2. Case No. CGIT/LC(A)/(19)/67.

3. Case No. CGIT/LC(A)/(21)/67.

4. Case No. CGIT/LC(A)/(23)/67

#### APPLICATIONS UNDER SECTION 33(2) (b) I.D. Act

1 Application No. CGIT/LC(B)(20)/67

2. Application No. CGIT/LC(B)(27)/67.

3. Application No. CGIT/LC(B)(31)/67

4. Application No. CGIT/LC(B)(35)/67.

5. Application No. CGIT/LC(B)(47)/67.

6. Application No. CGIT/LC(B)(40)/67.

7 Application No CGIT/LC(B)(46)/67

8. Application No. CGIT/LC(B)(49)/67.

9. Application No. CGIT/LC(B)(54)/67.

10. Application No. CGIT/LC(B)(57)/67

11. Application No. CGIT/LC(B)(72)/67

12. Application No CGIT/LC(B)(76)/67.

13. Application No. CGIT/LC(B)(78)/67

14 Application No. CGIT/LC(B)(82)/67

PARTIES—

M/s. Indian Copper Corporation Limited

*Versus*

Their Workmen

**APPEARANCES :**

*For employers*—Shri K. C. Goel, Legal Officer of the Corporation.

*For Opposite Party*.—S/Shri C. Ji Vyas, Vice President & H. B. Singh 'Arsl General Secretary of Mosaboni Mines Labour Union, Ghatsila.

**INDUSTRY :** Copper

**DISTRICT :** Singhbhum.

**ORDER**

1. By Notification No 8/23/67-LRII, dated April 25, 1967, the Ministry of Labour, Employment & Rehabilitation, Government of India, exercising powers under section 33B I.D. Act transferred 100 cases which were reference of Industrial Disputes, under Section 10 I.D. Act pending before the Central Government Industrial Tribunal, Dhanbad to this Tribunal. By the same order, it was stated that all cases arising out of those references, either under Section 33-A I.D. Act would also stand transferred to this Tribunal. In consequence of the aforesaid order, two References Nos. 4 and 79/65 of Industrial disputes between the Indian Copper Corporation Ltd. (to be hereinafter described as Corporation) and their workmen were transferred to this Tribunal. In connection with these references 10 cases under Section 33-A filed by individual workman against the Corporation and 137 cases under Section 33(2) (b) or 33(3) (b) for approval for permission filed by the Corporation were also transferred to this Tribunal. A list of these cases are appended with this Order as Annexure "A". A few applications were also received subsequent to the transfer of the main references, from the Corporation in respect of action taken against certain other workmen and these are also stated in the Annexure "A". There is only one Union operating, both for the mines and is named as Mosaboni Mines Labour Union, to be hereinafter called, the Union. In all these cases the Corporation desired this Tribunal to determine the question whether the workman in every case was a concerned workman or not, as a preliminary question on the basis of observations made by the Hon'ble Supreme Court in Tata Iron & Steel Co. Ltd., Vs. D. R. Singh reported in 1965(II) LLJ p. 122. The Union claimed representation in 57 cases mentioned in list but they had authority from the workmen concerned in some and not in others. The Union, however, undertook to file the requisite authority in the remaining cases in which they have no such authority. Full-fledged arguments on the legal aspect of the matter were, therefore, heard so as to record a comprehensive order to govern all cases of the Corporation in which they wanted determination of this question as a preliminary point. This was done at camp Allahabad on 14th July 1967. After hearing arguments from both sides an order was recorded on 25th July 1967 which is annexure "B" to this order. The order disposed of the preliminary objection raised by the Corporation in so far as purely the legal aspect of the matter was concerned and was passed for all the cases of the Corporation irrespective of the fact whether the workman concerned was or was not represented through the Union. After the said order was passed in respect of those cases in which Union claimed representation, whether being references or applications under Section 33-A or 33(2) (b) or 33(3) (b) dates were fixed for evidence and hearing between 29th August and 3rd September, 1967 at camp Ghatsila, rather Mosaboni. Meanwhile, telegram was received on 11th August 1967 that most of the cases were being negotiated for compromise. Since, however, there were many cases in which Union was not representative of the opposite party in cases under Section 33 dates for hearing were altered but the tour programme was curtailed for three dates on 29th, 30th and 31st August, 1967. On 29th August, 1967 compromise petition was filed by the parties in all the cases. From the terms of settlement main Reference No. 72/67 was compromised and some cases under Section 33-A and 33(2)(b) or 33(3)(b), were also compromised. Particulars of these cases are mentioned in paragraphs 2 & 3 of the compromise petition. In para 4 of the petition it was stated that main Reference No. 82/67, one case under Section 33-A (No. 22/67) and seven cases under Section 33 particulars of which were stated in the compromise petition remained unsettled and were to be decided by the Tribunal. In para 5 of the petition, it was further stated that all other applications under Section 33 shall not be opposed or contested before the Tribunal and shall be decided in favour of the management. The petition was signed by the representatives of the management and the Union. In furtherance of this compromise petition, two cases under Section 33-A No. 15/67 and 24/67 were disposed of and the terms of compromise for these cases were accepted. In other words, the compromise petition was acted upon by the parties at least on this date. For such cases which were not compromised and were stated in paragraph 4 it was decided to commence hearing and in fact main Reference No. 82/67 and another case under Section 33-A No. 22/67 were heard and evidence was recorded in subsequent dates. When the hearing commenced on 31st August, 1967 at camp Mosaboni applications were filed on behalf of the management in 19 cases that the management would not abide by the settlement for certain reasons stated in the applications, the settlement having been brought about under false representation and was voidable at the option of the Corporation. Compromise petition is

annexure "C" to this order. The application of the management is annexure "D". After hearing preliminary arguments on this application of the management it was decided to hear full-fledged arguments purely on the point of law whether the management has an unfettered right to resile from the compromise settlement and 6th September, 1967 was fixed for the purpose at camp Dhanbad. It was expressly stated that purely the legal aspect of the question should be deleted and not on the justifiability or otherwise of the action of the management. The representatives of the parties argued the law point but without rendering any real assistance to the Tribunal on the question of law. Some cases were cited by the representative of the management, most of which were irrelevant. None was cited on behalf of the Union. I have, however, endeavoured to find out any parallel case for guidance but I must confess that I could not come across any in my search. It is presumably because this is a unique case of its kind wherein the parties having arrived at a pack deal for compromise of cases pending before the Tribunal, one of them, rightly or wrongly felt aggrieved and attempted to resile from the position before the compromise could be examined and accepted in all the cases so as to be incorporated in the awards of this Tribunal and before a finality could be achieved. With the above narration of facts and observations, the legal position may now be examined.

2 The Industrial Disputes Act defines a settlement in Section 2(p) as follows:—

"Settlement" means a settlement arrived at in the course of conciliation proceedings and includes a written agreement between the employer and workmen arrived at otherwise than in the course of conciliation proceeding where such agreement has been signed by the parties thereto in such manner as may be prescribed and a copy thereof has been sent to the appropriate Government and the Conciliation Officer".

It defines a settlement in two categories, namely, those which are arrived at in the course of conciliation proceedings and such which are arrived at otherwise than in the course of conciliation proceedings. For the second category, there are certain requirements which have been prescribed under Rule 58 of Industrial Disputes (Central) Rules, besides the requirements that a copy of the same has to be sent to appropriate Government and the Conciliation Officer. Such a settlement arrived at otherwise than in the course of conciliation proceedings under Section 18(1) it is binding on the parties to the agreement only. The first category of settlement arrived at in the course of conciliation proceedings as also arbitration award or an award of Labour Court or Tribunal under Sub section (3) of Section 18 they are binding on all parties to the industrial dispute including the entire body of workmen as stated in Clause 3(d). The Act makes no provision about the position of a settlement arrived at otherwise than in conciliation proceedings but during the pendency of an industrial dispute before a Labour Court or Tribunal. When a reference is pending before a Labour Court or Tribunal whether a compromise petition fulfils the requirements of the definition of Section 2(p) I.D. Act or not, if the same is a reasonable and just settlement and is accepted by the Labour Court or Tribunal, it is incorporated in the award and then Section 18(3) is attracted. This power of the Labour Court or Tribunal to accept the compromise in the award on award is no more in doubt. In *Poona Mazdoor Sabha V. Dhutta* and another reported in 1956-II-LIJ 319 at page 321 Chagla C. J. made some doubtful observation as follows:

"Industrial law takes no notice of any private settlement or agreement arrived at between the parties in the course of an industrial dispute. Such a private agreement belongs to the realm of contract; it may give rise to contractual rights; but when we are dealing with industrial law it has no sanction whatsoever."

But another portion of the judgment at page 323 however, nullified the sting of the above observation. It runs as follows:—

"Industrial peace demands that sanctity should be attached to agreements freely arrived at by the parties and if the view went abroad that private settlements have no sanctity whatsoever, then there would be little chance of disputes ending by settlement between the parties. It will indeed be extremely unfortunate from the point of view of labour".

From the aforesaid subsequent observation of the Learned Chief Justice it is clear that sanctity was attached to agreements freely arrived at and should be honoured and acted upon by the Tribunals. The Kerala High Court in 1957 (II) LIJ p 45 *Krishnakutty Nair V. Industrial Tribunal* considered this question as also the



rights of the parties to adjust their differences wholly or in part by lawful agreements or compromise. The following is a material passage which needs reproduction—

"Now, it is the elementary right of the parties to a dispute to adjust their matters of difference wholly or in part, by any lawful agreement or compromise. And every authority entrusted with the task of adjudicating, the dispute was a duty, not a discretion, to record such agreement or compromise subject possibly to an inherent power of refusal when substantial injustice would be worked. A Tribunal therefore, to whom an industrial dispute is referred for adjudication under Section 10(1)(C) of the Industrial Disputes Act, must record a lawful agreement or compromise placed before it by the disputants. There is nothing in the Act to suggest that a particular class of agreement or compromise is outside its scope, though whether a particular compromise is lawful or not will vary with the varying character of different disputes. The expression "determination" in the definition of "Award" in the Act indicates, only a coming to an end, may be in any way whatever, though it may require examination and choice"

On the principle enunciated in the above ruling, the Industrial Tribunals have been accepting compromise agreements arrived at freely and lawfully and incorporated the same in their awards. The question, however, is whether a party having entered into a lawful agreement has an unfettered and inherent right without showing just cause to resile from the same. There is no direct case law on the point but a few which have some relevancy may be stated.

3. The Madras High Court in workers employed in 32 textiles mills. *Coimbatore District Mill Workers' Union Vs. Dhanalakshmi Mills Ltd.* 1960 (II) LLJ p. 556—A.I.R. 1960 (Mad) page 212 observed that the Industrial Tribunals have no power similar to one under Order XXIII R 3 C.P.C. to record a compromise. In the next paragraph, however, the position was made clear by the following passage:—

"This does not, however, mean that the Tribunal is precluded from taking note of a compromise entered into between the workers and the management. Where there is a compromise, it should consider whether, in its opinion the compromise could be adopted as its own determination of the dispute, i.e. whether it is fair, just and equitable between the parties".

4. In the ruling under consideration, three of the Unions and the management of the mills entered into a compromise agreement. Another Union which was not a party to the agreement but represented a substantial number of workmen of the mills did not accept the compromise and desired determination by the Tribunal. The Tribunal overruled the objection and accepting the compromise agreement recorded an award. It was in this context that the Hon'ble High Court made the above observation and held that as the Union was entitled to be heard under Section 36-I.D. Act, the Tribunal was wrong in ignoring the request and accepting the compromise.

5. The Allahabad High Court in a case *Raza Textile Labour Union Vs. R. Mohan* reported in I.L.L.R. 1964(8) p. 308 which has some bearing on the question considered the effect of a settlement before a statutory arbitrator under U.P. Industrial Disputes Act and which was not registered as required by Section 6B of the U.P. Act. This Section requires an agreement to be registered before the Conciliation Officer in the prescribed manner if arrived at outside conciliation proceedings. It was held that Section 6-B was a self contained provision and the unregistered settlement incorporated in the award was binding by virtue of Section 6(5) of the Act. The case is therefore of no material help except for the position that a settlement not having been brought about in a prescribed manner can nevertheless be acted upon. The material clue, however, is furnished by the observation of the Hon'ble Supreme Court in *Swadeshi Cotton Mills Vs. Rajeshwar Prasad* and others reported in 1966-II-LJ p. 797. That was a case where after the decision of the Labour Appellate Tribunal, the parties entered into a compromise in respect of an appeal pending before the Hon'ble Court. The Supreme Court framed two issues, one on the factual aspect of the compromise and second, whether it was a valid one and remitted them for a finding from the Tribunal. The Tribunal found that the

compromise had in fact taken place and was a valid one. The Supreme Court accepted the findings and disposed of the appeal in terms of the compromise. At page 710, the following material observation was made:—

"Just as an industrial dispute could have been settled between the parties either before it was referred for adjudication to the Industrial Tribunal or after it was referred and before the award was pronounced by the Tribunal, so would it be open to the parties to settle the dispute so long as it was pending either before the Labour Appellate Tribunal or before this Court."

From the above observation, it is clear that even during the pendency of a case before a Tribunal the parties can legitimately compromise the dispute. In the last but one paragraph of the judgment at page 711, the following observation clinches the whole matter:—

"The compromise in question is intended to be filed in this Court for the purpose of enabling the parties to request this Court to pass an order in terms of the said compromise. The procedure for obtaining such an order which was to be followed is the procedure prescribed by the rules of this Court, just as, if a compromise was reached before the Tribunal, the procedure to be followed before it would be the procedure prescribed by its rules."

From the above observation, it is evident that when a compromise is filed before a tribunal, the tribunal has to ascertain firstly, the fact of the compromise and secondly the validity thereof. Even though, therefore, provisions of Order XXIII Rule 3 C.P.C. may not be available to the tribunal, yet on general principles if a valid compromise has been reached it would be the duty of the tribunal to examine the same and accept the same if found valid. After all, a compromise is a contract and under Section 10 of the Indian Contract Act all agreements are contracts, if they are made by the free consent of the parties competent to contract, for a lawful consideration and with a lawful object and are not hereby expressly declared to be void. Consequently, the rule incorporated in Order XXIII R. 3 C.P.C. is based on the sound principle of freedom of contracts and the requirement are the same as are found in the definition of Section 10 of the Contract Act. Even though, therefore, C. XXIII R. 3 C.P.C. may not be applicable yet the tribunal would apply the general principles, particularly when the object of industrial adjudication is to achieve industrial peace and settle the disputes on considerations of social justice. When no rules of procedure are prescribed regarding any compromise arrived at during the pendency of a case before the Tribunal, the general principle will apply on the lines indicated by the Hon'ble Supreme Court in *Swadeshi Cotton Mills case* (supra)

6. It is, therefore, held that the Corporation has not got an unfettered right to resile from the compromise arrived at in these cases and the fact of the compromise together with its validity will have to be enquired into as a question of fact. The parties will, therefore, be directed to adduce necessary evidence on the point and will be informed accordingly.

7. After the order was dictated on 20th September 1967 and before it could be transcribed and signed the representative of the management, Shri K. C. Goel, has applied that the application dated 30th August 1967 resulting from the compromise is not being pressed and the management would abide by the compromise settlement arrived at on 4th August 1967. That being so, there is no necessity left to call for evidence on the point of fact whether there was a compromise entered into and the same was valid and lawful one.

Sd./- G. C. AGARWALA,  
Presiding Officer,  
Central Government Industrial Tribunal-Cum-  
Labour Court, Jabalpur.

Dictated on 20-9-67.

Transcribed on 28-9-67.

## LIST OF THE CASES UNDER SECTION 33(2) (b)

## ANNEXURE "A"

Sl. No.	Case No.	Jabalpur Dhanbad	Name of the parties
(1)	(2)		(3)
1	CGIT/LC(B)	(18)/67 (15/65)	M/s. Indian Copper Cor- poration Ltd. Vs. Shri Mosu, No. 1228, Car Driver.
2	Do.	(19)/67 (34/65)	Do. . . . . Shri Lasoo Majhi, No. 2429, R/Checker.
3	Do.	(20)/67 (36/65)	Do. . . . . Shri Muchiram, B. No. 7582, M/Sweeper.
4	Do.	(21)/67 (38/65)	Do. . . . . Shri Suran Purty, No. 8070, S/Checker.
5	Do.	(22)/67 (39/67)	Do. . . . . Shri Rajendra Singh. No. 5799, Sepoy.
6	Do.	(23)/67 (40/65)	Do. . . . . Shri M. K. K. Nair, No. 7856, R/Checker.
7	Do.	(24)/67 (41/65)	Do. . . . . Shri Amia Naik, No. 1367, Cr. Mazdur.
8	Do.	(25)/67 (43/65)	Do. . . . . Shri Guha Bah. Chetty, No. 8131, M R.
9	Do.	(26)/67 (45/65)	Do. . . . . Shri Bideshi Bren No. 1769, M/Sweeper.
10	Do.	(27)/67 (46/65)	Do. . . . . Shri Dhananjoy Pator, No. 5619, Mucker.
11	Do.	(28)/67 (47/65)	Do. . . . . Shri Bhatla Majhi, No. 910 M/Mazdoor.
12	Do.	(29)/67 (48/65)	Do. . . . . Shri Ghasiram Naik, No. 7272, Trammer.
13	Do.	(30)/67 (50/65)	Do. . . . . Shri Bidooram Sardar, No. 4507.
14	Do.	(31)/67 (51/65)	Do. . . . . Shri Muneswar, No. 6495' Trammer.
15	Do.	(32)/67 (54/65)	Do. . . . . Shri Kalu, No. 7513, M/ Sweeper.
16	Do.	(33)/67 (56/65)	Do. . . . . Shri Tila, No. 5772, F/ Sweeper.

(1)	(2)	(3)
17	CGIT/LC(B)	(34)/67 M/s. Indian Cooper Corpora- tion Ltd.
		W. Man Bah. Gurung, No. 5770 Sepoy
18	Do.	(57/65) (35)/67 Do. . . . . Muneswar, No. 6595, Tram- mer
19	Do.	(59/65) (36)/67 Do. . . . . Bom Bah. Tamang, No. 7708, Mucker.
20	Do.	(37)/67 Do. . . . . Haripada Karmakar, No. 5178.
21	Do.	(60/67) (38)/67 Do. . . . . Md. Abbas, No. 2382, Br/ Helper.
22	Do.	(65/65) (39)/67 Do. . . . . Sk. Munu, No. 5974, Muck- er.
23	Do.	(1/66) (40)/67 Do. . . . . Bhuban Narayan Deo, No 7981.
24	Do.	3/66 (41)/67 Do. . . . . Pratima, No. 5716, F/Swe- eper.
25	Do.	(4/66) (42)/67 Do. . . . . Bhuban Bah. Thappa, No. 5719, Sepoy.
26	Do.	(5/66) (43)/67 Do. . . . . Bibhisan, No. 7529, M/ Sweeper.
27	Do.	(11/66) (44)/67 Do. . . . . Baldeb, No. 5101, M/Swe- eper.
28	Do.	(13/66) (45)/67 Do. . . . . Shib Shankar Nair, No 7989, Mucker.
29	Do.	(14/66) (46)/67 Do. . . . . Ram Bilas Singh, No. 3819.
	Do.	(15/66) (47)/67 Do. . . . . Muneswar, No. 6495, Tram- mer.
31	Do.	(26/66) (48)/67 Do. . . . . Bhola Karmakar, No. 2015, Mucker.
32	Do.	(27/66) (49)/67 Do. . . . . Abdul Karim, No. 4664, Mucker.
33	Do.	(28/66) (50)/67 Do. . . . . Jogendra Prasad, No. 734, M/Mazdur.
34	Do.	(30/66, (51)/67 Do. . . . . Balbir Singh, No. 7810, Mucker.
35	Do.	(3/66) (52)/67 Do. . . . . Magan Pator, No. 2482, M/Mazdoor.
36	Do.	32/66 (34)/67 Do. . . . . Md/. Burhan, No. 4644, Trammer.
37	Do.	(33/66) (54)/67 Do. . . . . Nakki Hoe, No. 7722, T/Mazdoor.
		(36/66)

(1)	(2)	(3)
38	CGIT/LC(B) (55)/67	M/s. Indian Copper Corporation Ltd. Vs. Haripada Pator, No. 3204, Mucker.
39	Do. (37/66)	
	(56)/67	Do. . . Prem Bah. Tamang, No. 4620, Mucker.
	(46/66)	
40	Do. (56/A)/67	Do. . . Tak Bah. Chettry, No. 2593.
	(54/66)	
41	Do. (57)/67	Do. . . Parmanand Ghasi, No. 1811, M/Sweeper.
	(64/66)	
42	Do. (56)/67	Do. . . Stipat Pator, B.No. 1697.
	(67/66)	
43	Do. (59)/67	Do. . . Sudhan Sharma, No. 359, Blacksmith.
	(68/66)	
44	Do. (60)/67	Do. . . Abdul Manan, No. 867, F.G.M.
	(69/66)	
45	Do. (61)/67	Do. . . Nasiruddin Khan, No. 872, F.G. Mazdoor.
	(70/66)	
46	Do. (62)/67	Do. . . Dhananjay Singh, No. 5062.
	(71/66)	
47	Do. (65)/67	Do. . . S. Moni, No. 7485, Mucker.
	(75/66)	
48	Do. (64)/67	Do. . . Bishwanath Pator, No. 3790, H/Mazdoor.
	(76/66)	
49	Do. (65)/67	Do. . . Dhiren Pator, No. 5624, Trammer.
	(78/66)	
50	Do. (66)/67	Do. . . Parsuram Singh, No. 4786 T/Mazdoor.
	(81/66)	
51	Do. (67)/67	Do. . . Kharga Bah. Lama, No. 3447. M/R.
	(82/66)	
52	Do. (68)/67	Do. . . Sadhoo Singh, No. 133, Engg. Deptt.
	(87/66)	
53	Do. (69)/67	Do. . . Kamal Singh, No. 503, Rigger.
	(88/66)	
54	Do. (70)/67	Do. . . Khetra Mohan Pator, No. 221, Mucker.
	(88/66)	
55	Do. (71)/67	Do. . . Ashit Kumar Mahato, No. 3788, M/Mazdoor.
	(93/66)	
56	Do. (72)/67	Do. . . Lal Mohan Singh, No. 2237, Blaster Hr.
	(95/66)	
57	Do. (73)/67	Do. . . Dulal, No 1868, M/Sweeper.
	(4/67)	

(1)	(2)	(3)
58	CGIT/LC(B)	(74)/67 Indian Copper Corporation Vs. Ltd. Garjaman Lama, No. 3582, Mucker.
59	Do.	5/67 (75)/67 Do. . . . R. Chattu Kutty, No. 3082, Mucker.
60	Do.	6/67 (76)/67 Do. . . . Sheo Prasad Singh, No. 1768, S/Inspector.
61	Do.	7/67 (77)/67 Do. . . . Mangla Pator, No. 4853, T/Mazdoor.
62	Do.	8/67 (78)/67 Do. . . . Fulchand Pator, No. 770 M/Mazdoor.
63	Do.	13/67 (79)/67 Do. . . . Padam Maihi, No. 5932, P/Mazdoor.
64	Do.	11/67 (80)/67 Do. . . . Abinash Pator, No. 3568 Mucker.
65	Do.	15/67 (81)/67 Do. . . . Singrai Hoe, No. 5432 Round Checker.
66	Do.	16/67 (82)/67 Do. . . . Basudeo Pator, No. 8023, U/G. F/Hr.
67	Do.	39/67 (84)/67 Do. . . . Amulya Rana, No. 4916, T/Mazdoor.
68	Do.	41/67 (85)/67 Do. . . . Man. Bah. Noor, No. 7493.
69	Do.	42/67 (86)/67 Do. . . . Bhumbadhar Dhir, No. 5855.
70	Do.	43/67 (87)/67 Do. . . . N.K. Colombo, No. 3111 Trammer.
71	Do.	59/67 (88)/67 Do. . . . Md. Burhan, No. 4644 Trammer.
72	Do.	60/67 (89)/67 Do. . . . Gope Bahadur Chetty, No. 2096, Mucker.
73	Do.	61/67 (90)/67 Do. . . . Shri Raghunath, No. 1874, M/Sweeper.
74	Do.	63/67 (91)/67 Do. . . . Shri Rajendra Kaithartha, No. 3022, Mucker.
75	Do.	64/67 (92)/67 Do. . . . Shri Chure Pun, No. 5072, Sepoy.
76	Do.	65/67 (93)/67 Do. . . . Dagam Singh Ghale, No. 7695, Sepoy.
77	Do.	66/67 (95)/67 Do. . . . Nara Hoe, No. 5673, P.F. Helper.
		68/67

(1)	(2)	(3)
78 I CGIT/LC(B)	(96)/67	Indian Copper Corporation Vs. Nuruddin Mian, No. 2920, Ltd.
79	Do.	69/67
79	Do.	(97)/67
80	Do.	70/67
80	Do.	(98)/67
81	Do.	71/67
81	Do.	(99)/67
82	Do.	72/67
82	Do.	(100)/67
83	Do.	73/67
83	Do.	(101)/67
84	Do.	74/67
84	Do.	(102)/67
85	Do.	75/67
85	Do.	(103)/67
86	Do.	76/67
86	Do.	(104)/67
87	Do.	77/67
87	Do.	(105)/67
88	Do.	78/67
88	Do.	(106)/67
89	Do.	79/67
89	Do.	(107)/67
90	Do.	80/67
90	Do.	(108)/67
91	Do.	81/67
91	Do.	(109)/67
92	Do.	82/67
92	Do.	(110)/67
93	Do.	83/67
93	Do.	(111)/67
94	Do.	84/67
94	Do.	(112)/67
95	Do.	85/67
95	Do.	(113)/67
96	Do.	86/67
96	Do.	(114)/67
97	Do.	87/67
97	Do.	(115)/67
		88/67

Chet Bah. Chettry, No. 3796, Mucker.

Sanghi Bodra, No. 6332, Trammer.

Chamba Singh Lama, No. 8066, Blaster.

Darud Khan, No. 6005 Mucker.

Sakal Bah. Darjee, No. 6070, Mucker.

Bhuban Pator, No. 2431, Mucker.

Keshab Majhi, No. 4183, Mucker.

Ram Majhi, No. 4796, M/Sardar.

Lal Bah. Chertry, No. 8438, Mucker.

Bikram Murmoo, No. 7871, Mucker.

Ram Chandra Giri, No. 5448, M/R.

Lakhinder Majhi, No. 5879, Mucker.

Puney Darjee, No. 4833, Trammer.

Makar Bah. Lama, No. 4842, M/R.

Lakhan Lal Neor, No. 7342, M/R.

Lal Bah. Tamang, No. 3533, M/R.

Bhakta Bah. Sonar. No. 4338, M/R.

Krishna Bah. Srasta, No. 4740, Mucker.

Lal Bah. Tamang, No. 7935, Mucker.

(1)	(2)	(3)
98	CGIT/LC(B)	(116)/67 Indian Copper Corporation Vs. Sher Bah. Chetty, No. 3597, M/R.
99	Do.	89/67 (117)/67 Do. . . . . Padam Bah. Chetty, No. 4047, M/R.
100	Do.	90/67 (118)/67 Do. . . . . Padam Bah. Lama, No. 2944, M/R.
101	Do.	91/67 (119)/67 Do. . . . . Som Bah. Thappa, No. 2813 Mucker.
102	Do.	92/67 (120)/67 Do. . . . . Prem Bah. Neor, No. 3605, Mucker.
103	Do.	93/67 (121)/67 Do. . . . . Prem Bah. Chetty, No. 2609, Mucker.
104	Do.	94/67 (122)/67 Do. . . . . Kashilingam, No. 2026, Mucker.
105	Do.	94/67 (123)/67 Do. . . . . Prafulla Simh, No. 2859, Mucker.
106	Do.	96/67 (124)/67 Do. . . . . Salkhan Hansda, No. 8477, Mucker.
107	Do.	97/67 (125)/67 Do. . . . . Talak Bah. Chetty, No. 7862, Mucker.
108	Do.	98/67 (126)/67 Do. . . . . Dhanu Hansda, No. 2896, T/Mazdoor.
109	Do.	99/67 (127)/67 Do. . . . . Kharga Bah. Thappa, No. 4844, Mucker.
110	Do.	100/67 (128)/67 Do. . . . . Ananda Sardar, No. 2948, T/Mazdoor.
111	Do.	101/67 (129)/67 Do. . . . . Padam Bah. Lama, No. 7075, T/Mazdoor.
112	Do.	102/67 (130)/67 Do. . . . . Nar Bah. Darjee, No. 4867, Trammer.
113	Do.	103/67 (131)/67 Do. . . . . Surbir Chetty, No. 5598, Trammer.
114	Do.	104/67 (132)/67 Do. . . . . Thiraj Upadhya, No. 4803, Trammer.
115	Do.	105/67 (133)/67 Do. . . . . Hari Giri, No. 2636, Mucker.
116	Do.	106/67 (134)/67 Do. . . . . Bil Bah. Chetty, No. 4474, Mucker.
117	Do.	107/67 (135)/67 Do. . . . . Chabilal Neor, No. 4373, Trammer.
		108/67



(1)	(2)	(3)
118	CGIT/LC(B)	(136)/67 Indian Copper Corporation Vs. Dhir Singh, No. 5154, U/G. Ltd. Sweeper.
		109/67
119	Do	(137)/67 Do. . . . . Kushnu Majhi, No. 5894, Mucker.
		110/67
120	Do.	(138)/67 Do. . . . . Birkha Bah. Thappa, No. 4991, M/R.
		111/67
121	Do.	(139)/67 Do. . . . . Ismailuddin, No 2702 Mucker.
		112/67
122	Do.	(140)/67 Do. . . . . Karna Bah. Mogor, No 2012, Mucker.
		113/67
123	Do.	(141)/67 Do. . . . . Aswini Kt. Adhikari, No. 2323, Mucker.
		114/67
124	Do.	(142)/67 Do. . . . . Ratna Bah. Chetty, No. 2257, B/Ir.
		115/67
125	Do.	(143)/67 Do. . . . . Thakram Darjee, No 2951. J/Mazdoor
		116/67
126	Do.	(144)/67 Do. . . . . Ram Bah. Chetty, No 3009, Mucker.
		117/67
127	Do.	(145)/67 Do. . . . . Dasmal Majhi, No 2643, T/Mazdoor.
		118/67
128	Do.	(146)/67 Do. . . . . Netra Bah. Thappa, No. 8033, Mucker.
		119/67
129	Do.	(147)/67 Do. . . . . Bhim Bah. Upadhyay, No. 8064, Mucker.
		120/67
130	Do.	(148)/67 Do. . . . . R. Rajee, No. 6230, Lorry Driver.
		121/67
131	Do.	(149)/67 Do. . . . . C. Debdas, No. 3258, Shaft Mazdoor.
		122/67
132	Do.	(150)/67 Do. . . . . Sashi Bhusan Bhakat, No. 5205, H/Mazdoor
		123/67
133	Do.	(151)/67 Do. . . . . C. Debdas, No. 3258, Shaft Mazdoor.
		124/67
134	Do.	(152)/67 Do. . . . . Girish, No. 1884 H/Maz- door.
		134/67
135	Do.	(153)/67 Do. . . . . Tajuddin Mia. No 5488, Trammer.
		135/67
136	Do.	(154)/67 Do. . . . . Kashim Khan, No. 8056, Trammer.
		136/67
137	Do.	(180)/67 Do. . . . . Lal Bah. Chetty, No 2037.
		62/67

(1)	(2)	(3)
138	CGIT/LC(B) (181)/67	Indian Copper Corporation V/s. Hariram, Belder, No. 8498, Ltd. Mucker.
139	Do. (182)/67	Do. . . . . Ladu Hoe, No. 3646.
140	Do. (183)/67	Do. . . . . Chandrai Majhi, No. 7951, Mucker.
141	Do. (184)/67	Do. . . . . Srinath Majhi, No. 2669, T/Mazdoor.
142	Do. (185)/67	Do. . . . . Pancha Keshram, No. 4715, Mucker.
143	Do. (186)/67	Do. . . . . Jitu Mahali, No. 5812, Mucker.
144	Do. (187)/67	Do. . . . . Kandey Hoe, No. 4619, Mucker.
145	Do. (188)/67	Do. . . . . Rattan Sabar, No. 7977, Trammer.
146	Do. (189)/67	Do. . . . . Dukhu Mukhi, No. 8640 M/Sweeper.
147	Do. (190)/67	Do. . . . . Ashram, No. 5170, M/Sweeper.
148	Do. (191)/67	Do. . . . . Shri Suren Pator, No. 7719, M/Mazdoor.
149	Do. (192)/67	Do. . . . . Bhagbati, No. 5116, M/Mazdoor.
150	Do. (193)/67	Do. . . . . Rengta Majhi, No. 7426, Trammer.
151	Do. (194)/67	Do. . . . . Bhai, No. No. 7524, M/Sweeper.
152	Do. (195)/67	Do. . . . . Narendra Behra, No. 7619, M/Sweeper.
153	Do. (196)/67	Do. . . . . Haradhan Bharik, No. 7076, Trammer.
154	Do. (197)/67	Do. . . . . Padam Ch. Naik, No. 1814, M/Sweeper.
155	Do. (198)/67	Do. . . . . Sidia Bhoipai, No. 2975, Trammer.
156	Do. (199)/67	Do. . . . . Rattan Sagar, No. 8642, M/Sweeper.
157	Do. (200)/67	Do. . . . . Kartik, No. 8660, M/Sweeper.
158	Do. (202)/67	Do. . . . . Som Bah. Lama, No. 3291, Mucker.
159	Do. (203)/67	Do. . . . . Makardhaj Chetty, No. 5820, H/Mazdoor.
160	Do. (204)/67	Do. . . . . Ismailuddin, No. 4655, Trammer.
161	Do. (205)/67	Do. . . . . Tek Bah. Gurung, No. 4753, Mucker.
162	Do. (206)/67	Do. . . . . Kharga Bah. Chetty, No. 7870, Mucker.
163	Do. (207)/67	Do. . . . . Kripa Singh Lama, No. 8021, Mucker.
164	Do. (208)/67	Do. . . . . Rana Bah. Chetty, No. 4559, Trammer.
165	Do. (209)/67	Do. . . . . Padam Bah. Thakuri, No. 4780, Mucker.
166	Do. (2100)/67	Do. . . . . Lal Bah. Chetty, No. 4724, Mucker.

(1)	(2)	(3)
167	CGIT/LC(B) (211)/67	Indian Copper Corpora- Vs. Him. Bah. Chetty, No. 6113, tion Ltd. Mucker.
168	Do. (213)/67	Do. . . Sukra Mahakur, No. 819, M/Mazdoor.
169	Do. (215)/67	Do. . . Narain Giri, B. No. 7093, Mucker.
170	Do. (216)/67	Do. Mohammad Pin, B. No. 3440, Mucker.
171	Do. (217)/67	Do. . . Padam Bah. Chetty, No. 4920, M. Runner.
172	Do. (218)/67	Do. . . Som Bahadur Neor, No. 8458, Mucker.
173	Do. (219)/67	Do. . . Basant Kumar Mahapatra, No. 202, Driver, Ct. II.
174	Do. (220)/67	Do. . . Bhadra Bahadur Nagar, No. 4442, T. Mazdoor.
175	Do. (221)/67	Do. . . Kannan Naidu, N. No. 2506, Hosting Mazdoor.
176	Do. (222)/67	Do. . . Debir Prasad Srista, No. 2620, Round Checker.
177	Do. (224)/67	Do. . . Kishuna Majhi, No. 6102, M/Mazdoor.
178	Do. (227)/67	Do. . . Deleswar Mahanandia, No. 7874, Male Sweeper.
179	Do. (228)/67	Do. . . Arjoon Majhi, No. 2519, T/Mazdoor.
180	Do. (233)/67	Do. . . Bhubaneswar Chaubey, B. No. 5065, Sepoy.

## ANNEXURE 'C'

BEFORE THE INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT (CENTRAL)  
JABALPUR (CAMP: ALLAHABAD).

RE: CASE NO. 21 AND 23 OF 1967 (u/s. 33A I.D. Act)

Indian Copper Corporation Limited

*Versus*

Their workmen (Shri Perippa Naidu and R. Ramaswamy)

It is respectfully submitted on behalf of the abovenamed Corporation as follows —

1. That on 22nd August 1967 the parties to the case had filed an application for disposal of the case in accordance with the Settlement dated 4th August 1967 annexed to the application.

2. That on 30th August 1967 the Corporation filed an Application resiling from the Settlement for the reasons stated therein.

3. That the matter having been amicably settled between the parties, the Corporation does not wish to press its Application dated 30th August 1967.

It is therefore, prayed that the Corporation's aforesaid Application dated 30th August 1967 may please be treated as withdrawn and filed accordingly.

For Indian Copper Corporation Ltd..

Sd/-

Acting General Manager.

Dated 28th September 1967.

CC—General Secretary,  
Mosaboni Mines Labour Union,  
Mosaboni—(19).

Part of Award

[No. 24/40/67-LRI.]

**S.O. 290.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Presiding Officer, Central Government Industrial Tribunal, Jabalpur, in the matter of an application under section 33A of the said Act, from Sri S. B. Barua B. No. 5726, Mine Store Clerk C/o Mosaboni Mines Labour Union, Post Office Mosaboni Mines, District Singhbhum, Bihar which was received by the Central Government on the 26th December, 1967.

**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR**

*Dated November 27, 1967.*

**PRESENT:**

Sri G. C. Agarwala—Presiding Officer

COMPLAINT NO. 1/66 (DHANBAD TRIBUNAL)

COMPLAINT NO. CGIT/LC(A) (19)/67 (JABALPUR TRIBUNAL)

(Under Section 33 A I D Act)

**FARTIES:**

Sri S. B. Barua, B No. 5726, Mine Store Clerk C/o Mosaboni Mines Labour Union, P O Mosaboni Mines, Dist. Singhbhum, Bihar—*Complainant*.

*Versus*

M/s. Indian Copper Corporation Ltd., P.O. Mosaboni Mines, Dist Singhbhum (Bihar)—*Opp. Party*.

**APPEARANCES:**

*For Complainant*.—Sri H. B. Singh 'Arsl' Secretary Mosaboni Mine's Labour Union and Sri K. P. Agarwal, Advocate, Allahabad

*For Opp. Party*.—Sri K C Goel, Legal Officer of the Corporation

INDUSTRY. Copper

District: Singhbhum

**ORDER/AWARD**

The Complainant, Sri S. B. Barua, filed an application before the Central Industrial Tribunal, Dhanbad, under Section 33-A I.D. Act complaining that during the pendency of an industrial dispute covered by Ref. No. 34/65 of Dhanbad Tribunal the opposite party, the Indian Copper Corporation Ltd., changed the conditions of his Service inasmuch as he was denied Acting Allowance by means of an order dated 15th March, 1965. The parent reference along with this case was transferred to this Tribunal by Notification No. 8/25/67-LRII dated 26th April, 1967.

The opposite party in the first instance raised a question whether the complainant was a concerned workman in the parent reference and after this question was decided in favour of the complainant, date for hearing was fixed on other issues in the case which were framed on 22nd June 1967 at Camp Allahabad. Before, however, evidence could be recorded at camp Mosaboni, parties had settled their dispute and filed a compromise petition which is Annexure "A" to this order. The management, however, tried to resile from the compromise settlement and on their so doing arguments were heard on the legal aspect of the matter and a comprehensive order which is Annexure "B" to this order was passed on 20/28 September, 1967. The management later on by means of an application dated 28th September 1967 withdrew their application and adhered to the compromise settlement which is in the nature of a pack deal settling a number of their cases including this case. Para 2 of the compromise settlement would show that the management has agreed to pay the Acting Allowance for 18 days to the complainant and this resolves the controversy in favour of the complainant. The controversy is thus satisfactorily resolved in favour of the complainant and an order is recorded accordingly.

Since the order amounts to an award, let the same be sent to the Government of India, Ministry of Labour and Employment, for publication in the Gazette.

Sd /- G C AGARWALA,  
Presiding Officer.

27-11-67

"A"

(TRUE COPY)

*Memorandum of Settlement between the Management of Indian Copper Corporation Ltd., and their workmen of Mosaboni Mines represented by the Mosaboni Mines Labour Union, in respect of the Industrial Disputes pending adjudication before the Industrial Tribunal-cum-Labour Court (Central) at Jabalpur.*

*Name of Parties,*

*Representing the Management*

- 1 Mr. T.C.W.H. Blay, Ag. MS
- 2 Mr. K. Ramamoorthi—L.O.

*Representing by workmen*

1. Mr. H. B. Singh Arsi, General Secretary, M.M.L.U.
2. Mr. S. K. Das, Asst. Secretary, M.M.L.U.
3. Mr. S. N. Aditya, Asst. Secretary, M.M.L.U.

*Short Recital of the case:*

Whereas in its letters No. MMLU/103/MS/64 dated 3rd October 1964 and No. MMLU/G-3A(CO)/64-3 dated 8th November 1964 the Mosaboni Mines Labour Union raised Industrial Disputes for reinstatement of Shri Bhupati Sen (Badge No. 5998) and for supply of free electricity and fuel to Shri U. C. Patnaik (Badge No. 1706) respectively.

And whereas these disputes were referred by the Government of India in the Ministry of Labour, Employment and Rehabilitation to the Central Government Industrial Tribunal for adjudication.

And whereas during the pendency of the aforesaid references before the Industrial Tribunal, various application u/s 33(2) (b) and u/s 33(3) (b) of the Industrial Disputes Act have been made by the Management and complaints u/s 33A of the Industrial Disputes Act have been made by the certain workmen.

And whereas the aforesaid two References are pending as No. 72 of 1967 and No. 82 of 1967 before the Industrial Tribunal-cum-Labour Court (Central) at Jabalpur and the cases under Sections 33 and 33A I.D. Act are also pending before the same Tribunal and numbered as detailed in the Schedule 'A' and 'B' annexed hereto.

And whereas the Parties hereto, with a view to create better understanding, promote healthy Industrial Relations and maintain Industrial peace, after repeated discussions have arrived at an amicable settlement on this Friday, the 4th of August 1967 on the following terms and conditions:—

*Terms of settlement:*

1. In the main Reference case No. 72 of 1967, it is agreed that Shri Bhupati Sen shall be reinstated as a special case and is allowed one month's time to resume duty. The intervening absence from the date of Shri Bhupati Sen's dismissal till the date of his resuming duty under this settlement shall be treated as special leave with loss of all benefits. Shri Bhupati Sen's wages shall be the same as he was getting at the time of his dismissal.

2. In respect of the cases u/s 33A I.D. Act it is agreed as follows:—

- (i) Case No. 15 of 1967—The complaint of Sri Abdul Haque Khan (B. No. 461/E) shall not be pressed before the Tribunal.
- (ii) Case No. 16 of 1967—Sri Canguli Singh (B. No. 5055/WW) shall be allowed one day off for 7th June 1965 but this shall not form a precedent.
- (iii) Case No. 17 of 1967—The complaint of Sri Jitrai Mahali (B. No. 5221) shall not be pressed before the Tribunal.
- (iv) Case No. 18 of 1967—Sri J. N. Bhattacharjee (B. No. 1400/E) shall be given a special increment of 42 paise with effect from 1st August 1967.
- (v) Case No. 19 of 1967—Sri S. B. Barua (B. No. 5724) shall be paid Acting Allowance for 18 days, i.e., from 22nd February 1965 to 25th February 1965 and from 1st March 1965 to 14th March 1965.

- (vi) Case No. 20 of 1967—The complaint of Sri M. M. Pati (B. No. 6236) shall not be pressed before the Tribunal.
- (vii) Case No. 21 of 1967—Sri Periappa Naidu (B. No. 7336) shall be allowed leave for the year 1965.
- (viii) Case No. 23 of 1967—Sri R. Ramaswamy (B. No. 3429) shall be allowed leave for the year 1965.
- (ix) Case No. 24 of 1967—The Warning chit No. 24003 issued to Sri Ram Bilas Singh (B. No. 3819) for absence without leave for 2 days, i.e. 18th and 19th of November 1966, shall be cancelled.

3. In respect of the cases u/s 33(2)(b) and 33(3)(b) of the I.D. Act it is agreed as follows:—

- (i) Case No. 18 of 1967—Management's application for approval of dismissal of Sri Basu (B. No. 1228) shall not be opposed before the Tribunal. However, the dismissal shall not be considered as a bar against his seeking fresh employment.
- (ii) Case No. 20 of 1967—Sri Muchi Ram (B. No. 7582) shall be re-employed in his former designation (Sweeper) by 14th September 1967 in the usual way.
- (iii) Case No. 27 of 1967—Sri Dhananjoy Pator (B. No. 5619) shall be re-employed in his former designation (Mucker) by 14th October 1967 in the usual way.
- (iv) Case No. 31 of 1967 } Sri Puneswar (B. No. 6495) shall be  
Case No. 35 of 1967 } re-employed in his former designation  
Case No. 47 of 1967 } (Tramner) by 14th October 1967 in the usual way.
- (v) Case No. 39 of 1967—The Management's application for approval of the dismissal of Sri Sk. Munu (B. No. 5974) shall not be opposed before the Tribunal. However, the dismissal shall not be considered as a bar against his seeking fresh employment, and he may apply to the Mines Superintendent for consideration of his re-employment.
- (vi) Case No. 40 of 1967—Sri Bhuvan Narayan Deo (B. No. 7981) shall be re-employed in his former designation (Timber Mazdoor) by 14th October 1967 in the usual way.
- (vii) Case No. 45 of 1967—The Management's application for approval of the action taken against Sri Shub Shankar Nair (B. No. 7989) shall not be opposed before the Tribunal.
- (viii) Case No. 46 of 1967—Punishment of 4 days suspension issued to Sri Ram Bilash Singh (B. No. 3819) for absence without leave from 21st March 1966 to 3rd April 1966 shall be set aside but the final warning issued for the same shall stand.
- (ix) Case No. 49 of 1967—Sri Abdul Karim (B. No. 6484) shall be re-employed in his former designation (Mucker) by 14th October 1967 in the usual way.
- (x) Case No. 54 of 1967—Shri Naiki Hoe (B. No. 7722) shall be re-employed in his former designation (Timber Mazdoor) by 14th October 1967 in the usual way.
- (xi) Case No. 57 of 1967—Sri Parmanand Ghasi (B. No. 1811) shall be re-employed in his former designation (Sweeper) by 14th September 1967 in the usual way.
- (xii) Case No. 72 of 1967—Sri Lal Mohan Singh (B. No. 2237) shall be re-employed in his former designation (Baster Helper) by 14th October 1967 in the usual way.
- (xiii) Case No. 76 of 1967—Punishment of 4 days suspension issued to Sri Sheo Prasad Singh (B. No. 1768) for absence without leave in the year 1966 shall be set aside but the final warning issued for the same shall stand.
- (xiv) Case No. 78 of 1967—Sri Phul Chand Pator (B. No. 770) shall be re-employed in his former designation (M. Mazdoor) by 14th October 1967 in the usual way.

- (xv) Case No. 82 of 1967—Sri Basudeo Pator (B. No. 8023) shall be re-employed in his former designation (U/G Fitter, Helper) by 14th October 1967 in the usual way.
- (xvi) Case No. 84 of 1967—The Management's application for the approval of the dismissal of Sri/Amulya Rana (B. No. 4916) shall not be opposed before the Tribunal. The dismissal however, shall not be a bar against his re-employment and Sri Rana may apply to the Mines Superintendent for consideration of his re-employment.

4. The parties could not agree on any settlement in respect of the main Reference No. 82 of 1967, case u/s 33A I.D. Act No. 22 of 1967 and the cases u/s 32 I.D. Act, No. 24 of 1967, No. 59 of 1967, No. 60 of 1967, No. 61 of 1967, No. 62 of 1967, No. 68 of 1967 and 69 of 1967 which remain unsettled to be decided by the Tribunal.

5. All other application u/s 33 I.D. Act pending before the Tribunal and not settled hereto before shall not be opposed or contested before the Tribunal and shall be decided in favour of the Management.

6. Both the parties shall jointly apply to the Industrial Tribunal-cum-Labour Court (C), Jabalpur, to take this settlement on record and dispose of the cases settled here in terms of this compromise.

1. *Representing the Management.*

Sd/- T. C. W. H. BLAY,  
Sd/- K. RAMAMOORTHY,

2. *Representing the Union.*

Sd/- H. B. SINGH ARSI,  
Sd/- S. N. ADITYA,  
Sd/- S. K. DAS.

Dated: 4th August 1967.

Mosaboni Mines.

Witnesses

1. Sd/- M. N. SAHAI,

2. Sd/- MOBARAK AHMED,

“B”

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-  
LABOUR COURT, JABALPUR

Dated September 20/28, 1967

PRESENT:—

Shri G. C. Agarwala—*Presiding Officer.*

REFERENCE UNDER SECTION 10 I. D. ACT.

1. Ref. No. CGIT/LC(R) (72)/67.
- CASES UNDER SECTION 33-A I.D. ACT.
1. Case No. CGIT/LC(A)/(18)/67.
2. Case No. CGIT/LC(A)(19)/67
3. Case No. CGIT/LC(A)(21)/67.
4. Case No. CGIT/LC(A)(23)/67.

APPLICATIONS UNDER SECTION 33(2)(b) I.D. ACT.

1. Application No. CGIT/LC(B) (20)/67.
2. Application No. CGIT/LC(B) (27)/67.
3. Application No. CGIT/LC(B) (31)/67.
4. Application No. CGIT/LC(B) (35)/67.
5. Application No. CGIT/LC(B) (47)/67.
6. Application No. CGIT/LC(B) (40)/67.
7. Application No. CGIT/LC(B) (46)/67.
8. Application No. CGIT/LC(B) (49)/67.
9. Application No. CGIT/LC(B) (54)/67.
10. Application No. CGIT/LC(B) (57)/67.
11. Application No. CGIT/LC(B) (72)/67.
12. Application No. CGIT/LC(B) (76)/67.
13. Application No. CGIT/LC(B) (78)/67
14. Application No. CGIT/LC(B) (82)/67.

## PARTIES

M/s Indian Copper Corporation Limited

Versus

Their Workmen

## APPEARANCES.

For employers—Shri K. C. Goel, Legal Officer of the Corporation

For opposite party—S/Shri C. J. Vyas, Vice President &amp; H. B Singh "Arsi", General Secretary of Mosaboni Mines Labour Union, Ghatsila

INDUSTRY, Copper

DISTRICT: Singhbhum

## ORDER

By Notification No. 8/25 67-LRII, dated April 25, 1967, the Ministry of Labour, Employment & Rehabilitation, Government of India, exercising powers under section 33B I.D. Act transferred 100 cases which were reference of Industrial Disputes under Section 10 I.D. Act pending before the Central Government Industrial Tribunal, Dhanbad to this Tribunal. By the same order, it was stated that all cases arising out of those references, either under Section 33-A I.D. Act would also stand transferred to this Tribunal. In consequence of the aforesaid order, two References Nos. 4 and 79/65 of industrial disputes between the Indian Copper Corporation Ltd. (to be hereinafter described as Corporation) and their workmen were transferred to this Tribunal. In connection with these references 10 cases under Section 33-A filed by individual workman against the Corporation and 137 cases under Section 33(2) (b) or 33(3) (b) for approval for permission filed by the Corporation were also transferred to this Tribunal. A list of these cases are appended with this Order as Annexure "A". A few applications were also received subsequent to the transfer of the main references, from the Corporation in respect of action taken against certain other workmen and these are also stated in the Annexure "A". There is only one Union operating, both for the mines and is named as Mosaboni Mines Labour Union, to be hereinafter called, the Union. In all these cases the Corporation desired this Tribunal to determine the question whether the workman in every case was a concerned workman or not as a preliminary question on the basis of observations made by the Hon'ble Supreme Court in *Tata Iron & Steel Co. Ltd. v. D R Singh* reported in 1965 (11) LLJ P. 122. The Union claimed representation in 57 cases mentioned in list but they had authority from the workmen concerned in some and not in others. The Union however, undertook to file the requisite authority in the remaining cases in which they have no such authority. Full-fledged arguments on the legal aspect of the matter were, therefore, heard so as to record a comprehensive order to govern all cases of the Corporation in which they wanted determination of this question as a preliminary point. This was done at camp Allahabad on 14th July 1967. After hearing arguments from both sides an order was recorded on 25th July 1967 which is annexure "B" to this order. The order disposed of the preliminary objection raised by the Corporation in so far as purely the legal aspect of the matter was concerned and was passed for all the cases of the Corporation irrespective of the fact whether the workman concerned was or was not represented through the Union. After the said order was passed in respect of those cases in which Union claimed representation, whether being references or applications under Section 33-A or 33(2)(b) or 33(3)(b) dates were fixed for evidence and hearing between 29th August and 3rd September 1967 at camp Ghatsila rather Mosaboni. Meanwhile, telegram was received on 11th August 1967 that most of the cases were being negotiated for compromise. Since however, there were many cases in which Union was not representative of the opposite party in cases under Section 33 dates for hearing were altered but the four programme was curtailed for three dates on 29th, 30th and 31st August 1967. On 29th August 1967 compromise petition was filed by the parties in all the cases. From the terms of settlement main Reference No. 72/67 was compromised and some cases under Section 33-A and 33(2)(b) or 33(3)(b) were also compromised. Particulars of these cases are mentioned in paragraphs 2 & 3 of the compromise petition. In para 4 of the petition it was stated that main Reference No. 82/67, one case under Section 33-A (No. 22/67) and seven cases under Section 33 particulars of which were stated in the compromise petition remained unsettled and were to be decided by the Tribunal. In para 5 of the petition, it was further stated that all other applications under Section 33 shall not be opposed or contested before the Tribunal, and shall be decided in favour of the management. The petition was signed by the representatives of the management and the Union. In furtherance of this compromise



petition, two cases under Section 33-A No. 15/67 and 24/67 were disposed of and the terms of compromise for these cases were accepted. In other words, the compromise petition was acted upon by the parties at least on this date. For such cases which were not compromised and were stated in paragraph 4 it was decided to commence hearing and in fact main Reference No. 82/67 and another case under Section 33-A No. 22/67 were heard and evidence was recorded in subsequent dates. When the hearing commenced on 31st August, 1967 at camp Mosaboni applications were filed on behalf of the management in 19 cases that the management would not abide by the settlement for certain reasons stated in the applications, the settlement having been brought about under false representation and was voidable at the option of the Corporation. Compromise petition is annexure "C" to this order. The application of the management is annexure "D". After hearing preliminary arguments on this application of the management it was decided to hear full-fledged arguments purely on the point of law whether the management has an unfettered right to resile from the compromise settlement and 6th September, 1967 was fixed for the purpose at camp Dhanbad. It was expressly stated that purely the legal aspect of the question should be detailed and not on the justifiability or otherwise of the action of the management. The representatives of the parties argued the law point but without rendering any real assistance to the Tribunal on the question of law. Some cases were cited by the representative of the management, most of which were irrelevant. None was cited on behalf of the Union. I have, however, endeavoured to find out any parallel case for guidance but I must confess that I could not come across any in my search. It is presumably because this is a unique case of its kind wherein the parties having arrived at a pack deal for compromise of cases pending before the Tribunal, one of them, rightly or wrongly felt aggrieved and attempted to resile from the position before the compromise could be examined and accepted in all the cases so as to be incorporated in the awards of this Tribunal and before a finality could be achieved. With the above narration of facts and observations, the legal position may now be examined.

2. The Industrial Disputes Act defines a settlement in Section 2(p) as follows:—

"settlement" means a settlement arrived at in the course of conciliation proceedings and includes a written agreement between the employer and workmen arrived at otherwise than in the course of conciliation proceeding where such agreement has been signed by the parties thereto in such manner as may be prescribed and a copy thereof has been sent to the appropriate Government and the Conciliation Officer".

It defines a settlement in two categories, namely, those which are arrived at in the course of conciliation proceedings and such which are arrived at otherwise than in the course of conciliation proceedings. For the second category, there are certain requirements which have been prescribed under Rule 58 of Industrial Disputes (Central) Rules, besides the requirements that a copy of the same has to be sent to appropriate Government and the Conciliation Officer. Such a settlement arrived at otherwise than in the course of conciliation proceedings under Section 18(1) it is binding on the parties to the agreement only. The first category of settlement arrived at in the course of conciliation proceedings as also arbitration award or an award of Labour Court or Tribunal under Sub-section (3) of Section 18 they are binding on all parties to the industrial dispute including the entire body of workmen as stated in Clause 3(d). The Act makes no provision about the position of a settlement arrived at otherwise than in conciliation proceedings but during the pendency of an industrial dispute before a Labour Court or Tribunal. When a reference is pending before a Labour Court or Tribunal whether a compromise petition fulfils the requirements of the definition of Section 2(p) I.D. Act or not, if the same is a reasonable and just settlement and is accepted by the Labour Court or Tribunal, it is incorporated in the award and then Section 18(3) is attracted. This power of the Labour Court or Tribunal to accept the compromise in the award is no more in doubt. In *Poona Mazdoor Sabha V. Dhutta* and another reported in 1956-II-LLJ. p. 319 at page 321 Chagla C. J. made some doubtful observation as follows:—

"Industrial law takes no notice of any private settlement or agreement arrived at between the parties in the course of an industrial dispute. Such a private agreement belongs to the realm of contract; it may give rise to contractual rights; but when we are dealing with industrial law it has no sanction whatsoever."

But another portion of the judgment at page 323 however, nullified the sting of the above observation. It runs as follows:—

“Industrial peace demands that sanctity should be attached to agreements freely arrived at by the parties and if the view went abroad that private settlements have no sanctity whatsoever, then there would be little chance of disputes ending by settlement between the parties. It will indeed be extremely unfortunate from the point of view of labour.”

From the aforesaid subsequent observation of the Learned Chief Justice, it is clear that sanctity was attached to agreements freely arrived at and should be honoured and acted upon by the Tribunals. The Kerala High Court in 1957 (II) LL.J. p. 45 *Krishnakutty Nair V. Industrial Tribunal* considered this question as also the rights of the parties to adjust their differences wholly or in part by lawful agreements or compromise. The following is a material passage which needs reproduction:—

“Now, it is the elementary right of the parties to a dispute to adjust their matters of difference wholly or in part, by any lawful agreement or compromise. And every authority entrusted with the task of adjudicating, the dispute was a duty, not a discretion, to record such agreement or compromise placed before it by the disputants. There is nothing when substantial injustice would be worked. A Tribunal therefore, to whom an industrial dispute is referred for adjudication under Section 10(1)(C) of the Industrial Disputes Act, must record a lawful agreement or compromise placed before it by the disputants. There is nothing in the Act to suggest that a particular class of agreement or compromise is outside its scope, though whether a particular compromise is lawful or not will vary with the varying character of different disputes. The expression “determination” in the definition of “Award” in the Act indicates only a coming to an end, may be in any way whatever, though it may require examination and choice.”

On the principle enunciated in the above ruling, the Industrial Tribunals have been accepting compromise agreements arrived at freely and lawfully and incorporated the same in their awards. The question, however, is whether a party having entered into a lawful agreement has an unfettered and inherent right without showing just cause to resile from the same. There is no direct case of law on the point but a few which have some relevancy may be stated.

3. The Madras High Court in workers employed in 32 textiles mills, Coimbatore District Mill Workers' Union Vs. Dhanalakshmi Mills Ltd 1960 (II) LL.J. p. 556—A.I.R. 1960 (Mad) page 212 observed that the Industrial Tribunals have no power similar to one under Order XXII, R. 3 C.P.C. to record a compromise. In the next paragraph, however, the position was made clear by the following passage:—

“this does not, however, mean that the Tribunal is precluded from taking note of a compromise entered into between the workers and the management. Where there is a compromise, it should consider whether, in its opinion, the compromise could be adopted as its own determination of the dispute, i.e. whether it is fair, just and equitable between the parties.”

4. In the ruling under consideration, three of the Unions and the management of the mills entered into a compromise agreement. Another Union which was not a party to the agreement but represented a substantial number of workmen of the mills did not accept the compromise and desired determination by the Tribunal. The Tribunal overruled the objection and accepting the compromise agreement recorded an award. It was in this context that the Hon'ble High Court made the above observation and held that as the Union was entitled to be heard under Section 36 I.D. Act, the Tribunal was wrong in ignoring the request and accepting the compromise.

5. The Allahabad High Court in a case *Raza Textile Labour Union Vs. R. Mohan* reported in I.F.L.R. 1964(8) p. 306 which has some bearing on the question considered the effect of a settlement before a statutory arbitrator under U.P. Industrial Disputes Act and which was not registered as required by Section 6B of the U.P. Act. This Section requires an agreement to be registered before the Conciliation Officer in the prescribed manner if arrived at outside conciliation proceedings. It was held that Section 6 B was a self contained provision and the unregistered settlement incorporated in the award was binding by virtue of Section 8(5) of the Act. The case therefore, is of no material help except for the position that a settlement not having been brought about in a prescribed manner can nevertheless be

acted upon. The material clue, however, is furnished by the observation of the Hon'ble Supreme Court in *Swadeshi Cotton Mills Vs. Rajeswar Prasad and others* reported in 1960-II-LL.J. p. 707. That was a case where after the decision of the Labour Appellate Tribunal, the parties entered into a compromise in respect of an appeal pending before the Hon'ble Court. The Supreme Court framed two issues, one on the factual aspect of the compromise and second, whether it was a valid one, and remitted them for a finding from the Tribunal. The Tribunal found that the compromise had in fact taken place and was a valid one. The Supreme Court accepted the findings and disposed of the appeal in terms of the compromise. At page 710, the following material observation was made:—

"Just as an industrial dispute could have been settled between the parties either before it was referred for adjudication to the Industrial Tribunal, or after it was referred and before the award was pronounced by the Tribunal, so would it be open to the parties to settle the dispute so long as it was pending either before the Labour Appellate Tribunal or before this Court."

From the above observation, it is clear that even during the pendency of a case before a Tribunal the parties can legitimately compromise in dispute. In the last but one paragraph of the judgment at page 711, the following observation clinches the whole matter:—

"The compromise in question is intended to be filed in this Court for the purpose of enabling the parties to request this Court to pass an order in terms of the said compromise. The procedure for obtaining such an order which was to be followed is the procedure prescribed by the rules of this Court, just as, if a compromise was reached before the Tribunal, the procedure to be followed before it would be the procedure prescribed by its rules."

From the above observation, it is evident that when a compromise is filed before a tribunal, the tribunal has to ascertain firstly, the fact of the compromise and secondly the validity thereof. Even though, therefore, provisions of Order XXIII Rule 3 C.P.C. may not be available to the tribunal, yet on general principles if a valid compromise has been reached it would be the duty of the tribunal to examine the same and accept the same if found valid. After all, a compromise is a contract and under Section 10 of the Indian Contract Act "all agreements are contracts if they are made by the free consent of the parties competent to contract, for a lawful consideration and with a lawful object and are not hereby expressly declared to be void". Consequently, the rule incorporated in Order XXIII R. 3 C.P.C. is based on the sound principle of freedom of contracts and the requirements are the same as are found in the definition of Section 10 of the Contract Act. Even though, therefore, C. XXIII R. 3 C.P.C. may not be applicable yet the tribunal would apply the general principles, particularly when the object of industrial adjudication is to achieve industrial peace and settle the disputes on considerations of social justice. When no rules of procedure are prescribed regarding any compromise arrived at during the pendency of a case before the Tribunal, the general principle will apply on the lines indicated by the Hon'ble Supreme Court in *Swadeshi Cotton Mills case* (supra).

6. It is, therefore, held that the Corporation has not got an unfettered right to resile from the compromise arrived at in these cases and the fact of the compromise to gather with its validity will have to be enquired into as a question of fact. The parties will, therefore, be directed to adduce necessary evidence on the point and will be informed accordingly.

7. After the order was dictated on 20th September, 1967 and before it could be transcribed and signed the representative of the management, Shri K. C. Goel, has applied that the application dated 30th August, 1967 resiling from the compromise is not being pressed and the management would abide by the compromise settlement arrived at on 4th August, 1967. That being so, there is no necessity left to call for evidence on the point of fact whether there was a compromise entered into and the same was valid and lawful one.

Sd/- G. C. AGARWALA,  
Presiding Officer,

Central Government Tribunal-cum-Labour  
Court Jabalpur.

Dictated on 20th September, 1967.

Transcribed on 28th September, 1967.

*List of the Cases under Section 33(2)(b)*

ANNEXURE "A"

Sl. No.	Case No.	Name of the parties	
	Jabalpar Dhanbad		
(1)	(2)	(3)	
1.	CGIT/LC(B)	(18)/67	M/s. Indian Copper Vs. Shri Mosu, No. 1228, Car Driver.
		15/65	
2.	Do.	(19)/67	Do. . . . Shri Lasoo Majhi, No. 2429, R/Checker.
		34/65	
3.	Do.	(20)/67	Do. . . . Shri Muchiram, B. No. 7582, M/Sweeper.
		35/66	
4.	Do.	(21)/67	Do. . . . Shri Suran Purty, No. 8070, S/Checker.
		38/65	
5.	Do.	(22)/67	Do. . . . Shri Rajendra Singh, No. 5799, Sepoy.
		39/67	
6.	Do.	(23)/67	Do. . . . Shri M. K. K. Nair, No. 7856, R/Checker.
		40/65	
7.	Do.	(24)/67	Do. . . . Shri Amia Naik, No. 1367, Cr. Nazdur.
		41/56	
8.	Do.	(25)/67	Do. . . . Shri Guha Bah. Chettry, No. 8131, M/R.
		43/65	
9.	Do.	(26)/67	Do. . . . Shri Bideshi Bren, No. 1769, M/Sweeper.
		45/65	
10.	Do.	(27)/67	Do. . . . Shri Dhananjoy Pator, No. 5619, Mucker.
		46/65	
11.	Do.	(28)/67	Do. . . . Shri Bhatla Majhi, No. 910, M/Mazdoor.
		47/65	
12.	Do.	(29)/67	Do. . . . Shri Ghasiram Naik, No. 7272, Trammer.
		48/65	
13.	Do.	(30)/67	Do. . . . Shri Bidooram Sardar, No. 4507.
		50/65	
14.	Do.	(31)/67	Do. . . . Shri Muneshwar, No. 6495, Trammer.
		51/65	
15.	Do.	(32)/67	Do. . . . Shri Kalu, No. 7513, M/Sweeper.
		54/65	
16.	Do.	(33)/67	Do. . . . Shri Tila, No. 5772, F/Sweeper.
		56/65	
17.	Do.	(34)/67	Do. . . . Man Bah. Gurung, No. 5770, Sepoy.
		57/65	

(1)	(2)	(3)
18.	CGIT/LC(B)	(35)/67 Indian Copper Corporation Vs. Muneswar, No. 6595, Tram-mer.
	59/65	
19.	Do.	(36)/67 Do. . . . Bom Bah. Tamang, No. 7708, Mucker.
20.	Do.	(37)/67 Do. Haripada Karmakar, No. 5178.
	60/67	
21.	Do.	(38)/67 Do. Md. Abbas, No. 2382, B/Helper.
	65/65	
22.	Do.	(39)/67 Do. Sk. Munu, No. 5974, Mucker.
	1/66	
23.	Do.	(40)/67 Do. Bhuban Narayan Deo, No. 7981.
	3/66	
24.	Do.	(41)/67 Do. Pratima, No. 5716, F/Sweeper.
	4/66	
25.	Do.	(42)/67 Do. Bhuban Bah. Thappa, No. 5719, Sepoy.
	5/66	
26.	Do.	(43)/67 Do. Bibhisan, No. 7529, M/Sweeper.
	11/66	
27.	Do.	(44)/67 Do. Baldeb, No. 5101, M/Sweeper.
	13/66	
28.	Do.	(45)/67 Do. Shib Shankar Nair, No. 7989, Mucker.
	14/66	
29.	Do.	(46)/67 Do. Ram Bilas Singh, No. 3819.
	15/66	
30.	Do.	(47)/67 Do. Muneshwar, No. 6495, Tram-mer.
	26/66	
31.	Do.	(48)/67 Do. Bhola Karmakar, No. 2015, Mucker.
	27/66	
32.	Do.	(49)/67 Do. Abdul Karim, No. 4664, Mucker.
	28/56	
33.	Do.	(50)/67 Do. Jogendra Prasad, No. 734, M/Mazdoor.
	30/66	
34.	Do.	(51)/67 Do. Balbir Singh, No. 7810, Mucker.
	31/66	
35.	Do.	(52)/67 Do. Magan Pator, No. 2482, M/Mazdoor.
	32/66	
36.	Do.	(34)/67 Do. Md. Burhan, No. 4644, Trammer.
	36/66	
37.	Do.	(54)/67 Do. Nakki Hoe, No. 7722, T/Mazdoor.
	36/66	

(1)	(2)	(3)
38.	CGIT/LC (B)	(55)/67 Indian Copper Corporation Vs. Haripada Pator, No. 3204, Ltd. Mucker.
		37/66
39.	Do.	(56)/67 Do. Prem Bah. Tamang, No. 4620, Mucker.
		46/66
40.	Do.	(56/A)/67 Do. Tak Bah. Chettry, No. 2593.
		54/66
41.	Do.	(57)/67 Do. Parmanand Ghasi No. 1811, M/Sweeper.
		64/66
42.	Do.	(56)/67 Do. Sripat Pator, B. No. 1697.
		67/66
43.	Do.	(59)/67 Do. Sudhan Sharma, No. 359, Blacksmith.
		68/66
44.	Do.	(60)/67 Do. Abdul Manan, No. 867, F.G.M.
		69/66
45.	Do.	(61)/67 Do. Nasiruddin Khan, No. 872, F.G. Mazdoor.
		70/66
46.	Do.	(62)/67 Do. Dhananjoy Singh, No. 5062.
		71/66
47.	Do.	(63)/67 Do. S. Moni, No. 7485, Mucker
		75/66
48.	Do.	(64)/67 Do. Bishwanath Pator, No. 3790, H/Mazdoor.
		76/66
49.	Do.	(65)/67 Do. Dhiren Pator, No. 5624, Trammer.
		78/66
50.	Do.	(66)/67 Do. Parsuram Singh, No. 4786, T/Mazdoor.
		81/66
51.	Do.	(67)/67 Do. Kharga Bah. Lama, No. 3447, M/R.
		82/66
52.	Do.	(68)/67 Do. Sadhoo Singh, No. 133, Engg. Deptt.
		87/66
53.	Do.	(69)/67 Do. Kamal Singh, No. 503, Rigger.
		88/66
54.	Do.	(70)/67 Do. Khetra Mohan Pator, No. 221, Mucker.
		90/66
55.	Do.	(71)/67 Do. Ashit Kumar Mahato, No. 3788, M/Mazdoor.
		93/66
56.	Do.	(72)/67 Do. Lal Mohan Singh, No. 2237, Blaster Hr.
		95/66
57.	Do.	(73)/67 Do. Dulu, No. 1868, M/Sweeper
		4/67

(1)	(2)	(3)
58.	CGIT/LC (B) (74)/67 5/67	Indian Copper Corporation Vs. Garjaman Lama, No. 3582, Ltd. Mucker.
59.	Do. (75)/67 6/67	[ Do. R. Chattu Kuttry, No. 3082, Mucker.
60.	Do. (76)/67 7/67	Do. Sheo Prasad Singh, No. 1768, S/Inspector.
61.	Do. (77)/67 8/67	Do. Mangla Pator, No. 4853, T/Mazdoor.
62.	Do. (78)/67 13/67	Do. Fulchand Pator, No. 770, M/Mazdoor.
63.	Do. (79)/67 14/67	Do. Padam Majhi, No. 5932, P/Mazdoor.
64.	Do. (80)/67 15/67	Do. Abinash Pator, No. 356, Mucker.
65.	Do. (81)/67 16/67	Do. Singrai Hoe, No. 5432, Round Checker.
66.	Do. (82)/67 39/67	Do. Basudeo Pator, No. 8023, U/G.F./Hr.
67.	Do. (84)/67 41/67	Do. Amulya Rana, No. 4916, T/Mazdoor.
68.	Do. (85)/67 42/67	Do. Man Bah. Noor, No. 7493,
69.	Do. (86)/67 43/67	Do. Bhimbadhar Dhir, No. 5855.
70.	Do. (87)/67 59/67	Do. N. K. Colombo, No. 3111, Trammer.
71.	Do. (88)/67 60/67	Do. Md. Burhan, No. 4644, Trammer.
72.	Do. (89)/67 61/67	Do. Gope Bahadur Chetty, No. 2096, Mucker.
73.	Do. (90)/67 63/67	Do. Shri Raghunath, No. 1874, M/Sweeper.
74.	Do. (91)/67 64/67	Do. Shri Rajendra Kaithartha, No. 3022, Mucker.
75.	Do. (92)/67 65/67	Do. Shri Chure Pun, No. 5072, Sepoy.
76.	Do. (93)/67 66/67	Do. Dagam Singh Ghale, No. 7695, Sepoy.
77.	Do. (95)/67 68/67	Do. Nara Hoe, No. 5673, P.F. Helper.

(1)	(2)	(3)
78.	CGIT/LC (B)	(96)/67 Indian Copper Corporation Vs. Nuruddin Mian, No. 2920, Ltd. Blaster.
76.	Do.	69/67 Do. Chet Bah. Chetry, No. 3796, Mucker.
80.	Do.	70/67 Do. Sanghi Bodra, No. 6332, (98)/67 Trammer.
81.	Do.	71/67 Do. Chamba Singh Lama, No. (99)/67 8066, Blaster.
82.	Do.	72/67 Do. Darud Khan, No. 6005, (100)/67 Mucker.
83.	Do.	73/67 Do. Sakal Bah. Darjee, No. 6070, (101)/67 Mucker.
84.	Do.	74/67 Do. Bhuban Pator, No. 2431, (102)/67 Mucker.
85.	Do.	75/67 Do. Keshab Majhi, No. 4183, (103)/67 Mucker.
86.	Do.	76/67 Do. Ram Majhi, No. 4796, M/ (104)/67 Sardar.
87.	Do.	77/67 Do. Lal Bah. Chetry, No. 8438, (105)/67 Mucker.
88.	Do.	78/67 Do. Bikram Murmoo, No. 7871, (106)/67 Mucker.
89.	Do.	79/67 Do. Ram Chandra Giri, No. (107)/67 5448, M/R.
90.	Do.	80/67 Do. Lakhinder Majhi, No. 5879, (108)/67 Mucker.
91.	Do.	81/67 Do. Puneey Darjee, No. 4833, (109)/67 Trammer.
92.	Do.	82/67 Do. Makar Bah. Lama, No. (110)/67 4842, M/R.
93.	Do.	83/67 Do. Lakkan Lal Neor, No. 7342, (111)/67 M/R.
94.	Do.	84/67 Do. Lal Bah. Tamang, No. 3533, (112)/67 M/R.
95.	Do.	85/67 Do. Bhakta Bah. Sonar, No. 4338, (113)/67 M/R.
96.	Do.	86/67 Do. Krishna Bah. Srista, No. (114)/67 4740, Mucker.
97.	Do.	87/67 Do. Lal Bah. Tamang, No. 7935, (115)/67 Mucker.
		88/67



(1)	(2)	(3)
98.	CGIT/LC(B) (116)/67	Indian Copper Corporation Vs. Sher Bah. Chetty, No. 3597, Ltd. M/R.
	89/67	
99.	Do. (117)/67	Do. Padam Bah. Chetty, No. 4047, M/R.
	90/67	
100.	Do. (118)/67	Do. Padam Bah. Lama, No. 2944, M/R.
	91/67	
101.	Do. (119)/67	Do. Som Bah. Thappa, No. 2813, Mucker.
	92/67	
102.	Do. (120)/67	Do. Prem Bah. Neor, No. 3605, Mucker.
	93/67	
103.	Do. (121)/67	Do. Prem Bah. Chetty, No. 2609, Mucker.
	94/67	
104.	Do. (122)/67	Do. Kashilingam, No. 2026, Mucker.
	94/67	
105.	Do. (123)/67	Do. Prafulla Simli, No. 2859, Mucker.
	96/67	
106.	Do. (124)/67	Do. Salkhan Hansda, No. 8477, Mucker.
	97/67	
107.	Do. (125)/67	Do. Talak Bah. Chetty, No. 7862, Mucker.
	98/67	
108.	Do. (126)/67	Do. Dhanu Hansda, No. 2896, T/Mazdoor.
	99/67	
109.	Do. (127)/67	Do. Kharga Bah. Thappa, No. 4844, Mucker.
	100/67	
110.	Do. (128)/67	Do. Ananda Sardar, No. 2948, T/Mazdoor.
	101/67	
111.	Do. (129)/67	Do. Padam Bah. Lama, No. 7075, T/Mazdoor.
	102/67	
112.	Do. (130)/67	Do. Nar Bah. Darjee, No. 4867, Tramner.
	103/67	
113.	Do. (131)/67	Do. Surbir Chetty, No. 5598, Tramner.
	104/67	
114.	Do. (132)/67	Do. Thiraj Upadhya, No. 4803, Tramner.
	105/67	
115.	Do. (133)/67	Do. Hari Giri, No. 2636, Mucker.
	106/67	
116.	Do. (134)/67	Do. Bil Bah. Chetty, No. 4474, Mucker.
	107/67	
117.	Do. (135)/67	Do. Chabilal Neor, No. 4373, Tramner.
	108/67	

(1)	(2)	(3)
118.	CGIT/LC (B) (136)/67 109/67	Indian Copper Corporation Vs. Dhir Singh, No. 5154, U/G Sweeper.
119.	Do. (137)/67 110/67	Do. Kushnu Majhi, No. 5894, Mucker.
120.	Do. (138)/67 111/67	Do. Birkha Bah. Thappa, No. 4991, M/R.
121.	Do. (139)/67 112/67	Do. Ismailuddin, No. 2702, Mucker.
122.	Do. (140)/67 113/67	Do. Karna Bah. Moger, No. 2012, Mucker.
123.	Do. (141)/67 114/67	Do. Aswini Kr. Adhikari, No. 2323, Mucker.
124.	Do. (142)/67 115/67	Do. Ratna Bah. Chettry, No. 2257, B/Hr.
125.	Do. (143)/67 116/67	Do. Thakram Darjee, No. 2951 J/Mazdoor.
126.	Do. (144)/67 117/67	Do. Ram Bah. Chettry, No. 3905, Mucker.
127.	Do. (145)/67 118/67	Do. Dasmal Majhi, No. 2643, T/Mazdoor.
128.	Do. (146)/67 119/67	Do. Netra Bah. Thappa, No. 8033, Mucker.
129.	Do. (147)/67 120/67	Do. Bhim Bah. Upadhya, No. 8064, Mucker.
130.	Do. (148)/67 121/67	Do. R. Rajee, No. 6230, Lorry Driver.
131.	Do. (149)/67 122/67	Do. C. Debdas, No. 3258, Shaft Mazdoor.
132.	Do. (150)/67 123/67	Do. Sashi Bhushan Bhakar, No. 5205, H/Mazdoor.
133.	Do. (151)/67 124/67	Do. C. Debdas, No. 3258, Shaft Mazdoor.
134.	Do. (152)/67 134/67	Do. Girish, No. 1884, M/Mazdoor.
135.	Do. (153)/67 135/67	Do. Tajuddin Mia, No. 5488, Trammer.
136.	Do. (154)/67 136/67	Do. Kashim Khan, No. 8056, Trammer.

(1)	(2)	(3)
137.	CGIT /LC (B) (180)/67 62/67	Indian Copper Corporation Vt. Lal Bah. Chetty, No. Ltd. 2037.
138.	Do. (181)/67	Do. Hariram, Beldar, No. 8498, Mucker
139.	Do. (182)/67	Do. Ladu Hoe, No. 3646.
140.	Do. (183)/67	Do. Chandrai Majhi, No. 7951, Mucker.
141.	Do. (184)/67	Do. Srinth Majhi, No. 2669, T/Mazdoor.
142.	Do. (185)/67	Do. Paneha Kesram, No. 4715, Mucker.
143.	Do. (186)/67	Do. Jitu Mahali, No. 5812, Mucker
144.	Do. (187)/67	Do. Kandey Hoe, No. 4619, Mucker.
145.	Do. (188)/67	Do. Rattan Sabar, No. 7977, Trammer.
146.	Do. (189)/67	Do. Dukhu Mukhl, No. 8640, M/Sweeper
147.	Do. (190)/67	Do. Ashram, No. 5170, M/ Sweeper.
148.	Do. (191)/67	Do. Shri Suren Pator, No. 7719, M/Mazdoor.
149.	Do. (192)/67	Do. Bhagbati, No. 5116, M/ Mazdoor.
150.	Do. (193)/67	Do. Rangta Majhi No. 7426, Trammer.
151.	Do. (194)/67	Do. Bhali, N. No. 7524, M/ Sweeper.
152.	Do. (195)/67	Do. Narendra Behra, No. 7619, M/Sweeper.
153.	Do. (196)/67	Do. Haradhan Bharik No. 7067, Trammer.
154.	Do. (197)/67	Do. Padam Ch. Naik, No. 1814, M/Sweeper.
155.	Do. (198)/67	Do. Sidia Bhoipai, No. 2975, Trammer.
156.	Do. (199)/67	Do. Rattan Sagar, No. 8642, M/Sweeper.
157.	Do. (200)/67	Do. Kartik, No. 8660, M/ Sweeper.
158.	Do. (202)/67	Do. Som Bah. Lama, No. 3291, Mucker.
159.	Do. (203)/67	Do. Makardhaj Chetty, No. 5820, H/Mazdoor.
160.	Do. (204)/67	Do. Ismailuddin, No. 4655, Trammer.
161.	Do. (205)/67	Do. Tek Bah. Gurung, No. 4753, Mucker.
162.	Do. (206)/67	Do. Kharga Bah. Chetty, No. 7870, Mucker.
163.	Do. (207)/67	Do. Kripa Singh Lama, No. 8021, Mucker.

(1)	(2)	(3)
164.	CGIT/LC (B) (208)/67	Indian Copper Corporation, Vs. Rana Bah. Chetty, No. 4559, Trammer.
165.	Do. (209)/67	Do. Padam Bah. Thakuri, No. 4780, Mucker.
166.	Do. (210)/67	Do. Lal Bah. Chetty, No. 4724, Mucker.
167.	Do. (211)/67	Do. Him Bah. Chetty, No. 6113, Mucker.
168.	Do. (213)/67	Do. Sukra Mahakur, No. 819, M/Mazdoor.
169.	Do. (215)/67	Do. Narain Giri, B. N. 7053, Mucker.
170.	Do. (216)/67	Do. Mohammad Pin, B. No. 3440, Mucker.
171.	Do. (217)/67	Do. Padam Bah. Chetty, No. 4920, M. Runner.
172.	Do. (218)/67	Do. Som Bahadur Neor, No. 8458, Mucker.
173.	Do. (219)/67	Do. Basant Kumar Mahapatra, No. 202, Driver, Ct. II.
174.	Do. (220)/67	Do. Bhadra Bahadur Nagar, No. 4442, T/Mazdoor.
175.	Do. (221)/67	Do. Kannan Naidu, N. No. 2506, Hosting Mazdoor.
176.	Do. (222)/67	Do. Debir Prasad Srista, No. 2620, Round Checker.
177.	Do. (224)/67	Do. Kishuna Majhi, No. 6102, M/Mazdoor.
178.	Do. (227)/67	Do. Deleswar Mahanandia, No. 7874, Male Sweeper.
179.	Do. (228)/67	Do. Arjoon Majhi, No. 2519, T/Mazdoor.
180.	Do. (233)/67	Do. Bhubaneswar Chaubey, B. No. 5065, Sepoy.

[No. 24/39/67-LRI.]

S. S. SAHASRANAMAN, Under Secy.

## (Department of Labour &amp; Employment)

New Delhi, the 9th January 1968

**S.O. 201.**—In exercise of the powers conferred by sub-section (2) of section 33 of the Mines Act, 1952 (35 of 1952), the Central Government hereby authorises the Chief Inspector of Mines to exempt, for the period upto the 30th June, 1968, any mine from the operation of clauses (3) and (37) of regulation 2 of the Metalliferous Mines Regulations, 1961, in so far as such clauses provide that an Assistant Manager or Underground Manager, as the case may be, should possess a Manager's Certificate if the Chief Inspector is of opinion that the conditions in such mines are such as to render compliance with such provision unnecessary or impracticable.

[No. 1/53/66-MI.]

**S.O. 292.**—In exercise of the powers conferred by regulation 186 of the Metalliferous Mines Regulations, 1961, the Central Government hereby notifies the 1st February, 1968, as the date on which the following provisions of the Metalliferous Mines Regulations, 1961, shall come into force namely:—

- (a) regulation 35 except the first proviso;
- (b) regulation 37(1); and
- (c) regulation 38 excluding so much thereof as requires a surveyor to hold a Surveyor's Certificate.

[No 1/53/66-MI.]

J. D. TEWARI, Under Secy.

(Department of Labour & Employment)

New Delhi, the 9th January 1968

**S.O. 293.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Calcutta, in the industrial dispute between the employers in relation to the Lower Kenda Colliery, Post Office Kajoragram, District Burdwan and their workmen, which was received by the Central Government on the 30th December, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA.

REFERENCE No. 49 of 1967

**PARTIES:**

Employers in relation to the Lower Kenda Colliery,

AND

Their workmen

**PRESENT:**

Shri S. K. Sen.—*Presiding Officer.*

**APPEARANCES:**

*On behalf of Employers.*—Shri S. S. Mukherjee, Advocate.

*On behalf of Workmen.*—Shri B. Malkhandy, an Officer of Colliery Mazdoor Sabha.

**STATE:** West Bengal.

**INDUSTRY:** Coal Mines.

**AWARD**

By Order No. 6/38/67-LRII dated 3rd June, 1967, the Central Government referred for adjudication an industrial dispute between the employers in relation to the Lower Kenda Colliery, Post Office Kajoragram, District Burdwan, and their workmen in respect of the matters specified in the following schedule:

“Whether the dismissal of Shri Amiya Nemai Sirkar, Pit Munshi by the management of Lower Kenda Colliery, Post Office Kajoragram, Dist., Burdwan, with effect from the 21st March, 1967, was justified? If not, to what relief is he entitled?”

2. Shri Amiya Nemai Sarkar who was employed at Lower Kenda colliery as Pit Munshi was on duty in the third shift on 21st February, 1967. The duties of the Pit Munshi are to see that empty tubs are supplied to loaders and pick miners and that loaded tubs are sent up and to keep a record of the number of tubs loaded by each loader and pick miner so that a raising report can be submitted by him at the end of the shift. According to the management Amiya Nemai Sarkar did not attend to his duty at all in the third shift of 21st February, 1967, and appeared to have been sleeping somewhere; he prepared a false raising report stating that 14 loaders had loaded 24 tubs in the shift; and when the loaders came up and complained that they had not been supplied with tubs in time and had been able to fill only 17 tubs, Amiya Nemai Sirkar started preparing a second raising report showing that the loaders had loaded 17 tubs; in the meantime the loaders had complained to the manager and the manager sent for Amiya Nemai Sirkar, and the manager took the raising reports from Amiya Nemai Sarkar, and on the same day served a chargesheet on him for submitting a false raising report,

sleeping on duty and for neglecting his duty. A departmental enquiry was held by the Asstt. Manager on 3rd, 7th and 10th March, 1967, at which Amiya Nemai Sarkar was given full opportunity to defend himself. The enquiring officer found that the charge of sleeping had not been proved but neglect of duty during the shift and preparation of false report had been fully proved. On the basis of the report, after obtaining approval from the Managing Director the Manager passed an order of dismissal on 21st March, 1967. According to the management the order of dismissal was passed on misconduct proved at an enquiry which was fairly conducted and the workman therefore is not entitled to any relief.

3. According to the written statement of the union, Amiya Nemai Sirkar had become a member of the Colliery Mazdoor Sabha in January, 1967, and at that time being asked by the management to canvas in favour of the Managing Director, Shri J. N. Mukherjee, who was a candidate with a Congress ticket for election to the Parliament from Asansol Constituency, he refused to do so as he had become a member of the leftist union; and therefore the managing director and the management were displeased with him and had taken advantage of an accidental failure to supply the required number of tubs to the loaders during the third shift on 21st February, 1967, to institute proceedings against the workman and to dismiss him. According to the union, for the failure to supply the required number of tubs to the loaders during the third shift of 21st February, 1967, the responsibility did not lie with the Pit munshi, Amiya Nemai Sirkar, but it was due to circumstances beyond his control, because when he joined his duty he found the tram lines jammed with loaded tubs from the previous shift and he had to clear the loaded tram lines and then supply empty tubs, and the supply of the second instalment of empty tubs was held up by empty tubs being derailed when being moved from the pit bottom to the dip section where the pit munshi was working at the 11th and 12th levels, and so the second supply did not reach the loaders before the end of the shift when they had no time to do any loading.

4. As regards the management being displeased with Amiya Nemai Sirkar because he had become a member of a leftist union, the Colliery Mazdoor Sabha, the management produced Ext. H, a list of members of the branch committee of the Colliery Mazdoor Union at Lower Kenda colliery dated 6th July, 1966, showing that Amiya Nemai Sarkar was mentioned therein as Asstt. Secretary. Amiya Nemai Sirkar admits that a branch committee of the Colliery Mazdoor Union was formed about the middle of 1966, but he stated that his name was put in as Asstt. Secretary without his consent. Amiya Nemai Sirkar claimed that he became a member of the Colliery Mazdoor Sabha in January, 1967 i.e., just about a month before he was chargesheeted. On behalf of the management Shri Bimal Chandra Das, Assistant Manager who held the enquiry gave evidence. He stated that no report was received from the Colliery Mazdoor Sabha about the formation of any branch of that union at Lower Kenda colliery, and that the management did not know at all about the opening of a branch of the Colliery Mazdoor Sabha at Lower Kenda colliery. It is therefore clear that the management could not have any displeasure against Amiya Nemai Sirkar because of his membership of a leftist union. As regards his alleged refusal to help in canvassing in favour of the Managing Director, Shri J. N. Mukherjee, in his candidature for the Parliament, it appears that in the reply to the chargesheet, Ext. A which was submitted by the workman, there is no mention of his having been asked to canvas in favour of the Managing Director and his having refused to do so. At the domestic enquiry Amiya Nemai Sirkar gave a detailed statement as to what had happened, but said nothing about his having been asked to canvas in favour of the Managing Director. It was only in the letter dated 21st March, 1967, which was addressed by Shri Robin Chatterjee, Vice-President of the Colliery Mazdoor Sabha, to the Manager of Lower Kenda Colliery that it was first mentioned that there was intention to victimise the workman because he had not agreed to canvas for the Managing Director, J. N. Mukherjee at the General Election. In the circumstances, I am unable to find that there is any truth in the contention that because Amiya Nemai Sirkar refused to canvas in favour of the Managing Director, a case was vindictively started against him.

It is admitted by Amiya Nemai Sirkar that the loaders could not be supplied with proper number of tubs during the third shift of 21st February, 1967. Amiya Nemai Sirkar in his evidence before the tribunal said that when he joined his duty he found both lines jammed with loaded tubs of the previous shift; and, having cleared one line he looked for empty tubs but could not find any, and after remaining sitting for sometime he referred to the shift in-charge or Overman, Provat Kr. Roy who asked him not to sit idle but to clear the other line of loaded tubs. After clearing the second line he found empty tubs and sent them to his section but it was then about 4-30 A.M., and by the time that he cleared the

tubs after loading he found that there were not enough empty tubs for his section. After waiting for sometime he got the required number of tubs, but when they were being taken towards his section many of them got derailed and for that reason that could not be delivered at he section before 8 A.M. and at that time the loaders left their place and did not do any more loading. Amiya Nemai Sirkar admitted the raising report, Ext. C as written and signed by him, but he explained that this was a rough raising report that he had prepared underground; when he came up to the attendance room where he prepared the fair copy of the raising report and noted the total raising in the Daily Raising Record Book, he was called by the manager and accordingly before he could sign and deliver the fair copy, he went to the manager and the manager took both the copies of the raising report from him. The first copy of the raising report, Ext. C shows that the loaders had loaded 24 tubs. The second copy of the raising report, Ext. C1, said to be the fair copy shows that the loaders had loaded 17 tubs only. It is clear from this fact and from a look at the two raising reports that one could not be the fair copy of the other. This shows that there is truth in the case of the management that originally Amiya Nemai Sirkar had prepared the raising report, Ext. C showing that the loaders had loaded 24 tubs, but then the loaders came up and complained and stated that they had not been able to load more than 17 tubs as tubs had not been supplied to them in time, and Amiya Nemai Sirkar hurriedly prepared another copy of the raising report.

6. We are mainly concerned with the question whether the domestic enquiry was conducted in accordance with the principles of natural justice and whether the findings made by the enquiring officer are supported by evidence. Amiya Nemai Sirkar said that the manager and the Labour Welfare Officer suggested some replies to the witnesses and also blocked some cross-examination as unnecessary and that accordingly he submitted a protest letter on 7th March, 1967 to the Enquiring Office i.e., on the second date of enquiry. A copy of the protest letter has been marked Ext. 7. But the enquiring officer, Bimal C. Das has stated that no such protest letter was made over to him on 7th March 1967 or on any other date. Ext. 1 and Ext. 1A are admitted letters written by Amiya Nemai Sirkar on 14th March and 16th March to the Manager after the enquiry had been completed. It is significant that the only complaint in these letters was that the final decision had not been communicated to him; he also asked for copies of statements of witnesses and documents, etc. He did not then say that he had not been able to cross-examine the witnesses or put his own case at the enquiry. The record of the enquiry shows that all the witnesses examined for the management including the manager himself were cross examined in some detail and Amiya Nemai Sirkar not only gave a fairly long statement in his defence but examined two witnesses for defence namely Salim Mia and Birju Majhi. Further, it appears that after the examination of the manager on 10th March 1967, the defence was allowed to recall Provat Kr. Roy, Overman for further cross examination. Another Pit Munshi, Kalikesh Bhattacharyya was allowed to assist Amiya Nemai Sirkar at the inquiry. I must therefore hold that the enquiry was held in accordance with the principles of natural justice and the workman cannot have any complaint as to the mode of enquiry. The findings of the enquiring officer are contained in the enquiry report, Ext. F. The manager stated that Jadu Razak, loader sirdar of the shift, had told him that he had seen Amiya Nemai Sirkar sleeping at No. 11 gola during the shift. At the enquiry Jadu Razak stated that he found the munshi babu sitting at No. 11 gola and did not find him sleeping. The enquiring officer found that the charge of sleeping when on duty was not proved. He found that the charge of neglect of duty proved because it appeared from the evidence of Jadu Razak and other witnesses that during the shift, none of the loaders saw the pit munshi doing any work or supervision. Apparently the pit munshi left everything to be done by the loader sirdar and trammers. The enquiring officer also found that the pit munshi had prepared a false raising report based partly on his imagination and partly on what he had heard about the number of tubs sent down for loading, and that he started to prepare the other report when the loaders came up and protested that they had got only 17 tubs for loading during their shift. This finding is also based on sufficient evidence. The enquiring officer rejected the defence of the workman concerned that Ext. C was a rough raising report and that Ext. C1 was the fair copy of the raising report. He found that the Pit munshi originally intended Ext. C as the raising report and hurriedly prepared another one only when the falsity of the raising report had come to light because of the protest of the loaders who came into attendance room immediately after the pit munshi and also went and complained to the manager. I find on consideration of the evidence recorded at the domestic enquiry that the findings of the enquiring officer were based on evidence.

7. Shri B. Malkhandy appearing for the union has urged that the finding did not mention under what clause of the Standing Orders the misconduct was committed. He has also urged that at most, neglect of duty on that particular day was proved and mere neglect of duty is not sufficient for dismissal under the Standing Orders and that habitual neglect has to be proved before an order of dismissal is justified.

8. It is true that the clauses of the Standing Orders under which the misconduct was charged are not mentioned either in the chargesheet or in the finding of the Enquiry Officer. But the misconduct proved has been sufficiently described in words in the chargesheet as well as in the finding by enquiring officer. Shri S.S. Mukherjee appearing for the management has stated with reference to the certified copy of the Standing Orders of the colliery, which has been produced before the tribunal for inspection, that the charges came under paragraph 18 clauses (a), (f) and (j). Clause (j) relates to sleeping on duty but it was not proved. Clause (f) relates to habitual neglect of work. Neglect of work on a particular shift was proved but not habitual neglect. Shri Mukherjee fell back on clause (a) which mentions theft, fraud or dishonesty in connection with the employer's business or property. There was no theft or dishonesty in the sense of wrongful gain or wrongful loss, but there was fraud in connection with the employer's business if the pit munshi from his guess work only submitted a false report as to the number of tubs loaded by the loaders. This contention of Shri Mukherjee must be accepted, because submission of a false raising report on the basis of guess work is certainly a very serious matter. If the loaders had not come up and complained, the original raising report prepared by the pit munshi would have been submitted and accepted, and bills would have been prepared thereon causing considerable loss to the owners. For such misconduct alone apart from negligence an order of dismissal would be justified.

9. It has been urged on behalf of the workmen that his subsistence allowance during the period of suspension was not paid; but the management stated that they prepared vouchers for subsistence allowance during the period of suspension in accordance with the provisions of the Standing Orders and that the workman concerned did not come and take the allowance from the office and that it is still open to him to do so.

10. My award therefore is that dismissal of Amiya Nemai Sirkar, Pit Munshi, by the management of Lower Kenda Colliery with effect from 25th March 1967 was justified and the workman is not entitled to any relief.

Sd./- S. K. SEN,  
Presiding Officer.

Dated, 27th December, 1967.

[No. 6/38/67-LRII.]

**S.O 294.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Guzdhar Kajora Colliery, Post Office Kajoram, District Burdwan and their workmen, which was received by the Central Government on the 3rd January, 1968.

## CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 35 of 1967

### PARTIES:

Employers in relation to the Guzdhar Kajora Colliery,

AND

Their workmen.

### PRESENT:

Shri S. K. Sen, Presiding Officer.

### APPEARANCES:

Nil.

STATE: West Bengal

INDUSTRY: Coal Mines.

### AWARD

By Order No. 6/17/67-LRII, dated 17th May, 1967, the Central Government referred for adjudication an industrial dispute between the employers in relation



to the Guzdhar Kajora Colliery, Post Office Kajoragram, District Burdwan and their workmen in respect of the matters specified in the following schedule:

"Whether the non-employment of Shri Sudarshan Singh, Trammer, by the management of Guzdhar Kajora Colliery with effect from the 9th December, 1966 was justified?

If not, to what relief is he entitled?"

3 According to the written statement of the union (Colliery Mazdoor Union, Asansol) Sudarshan Singh was a permanent trammer working at Guzdhar Kajora Colliery and he was stopped from work without any chargesheet or order of suspension with effect from 9th December 1966. The management has not filed any written statement. It appears from the failure report that the case of the management before the Conciliation Officer was that Sudarshan Singh had absented himself voluntarily without permission and the management had not stopped him from work. There was however no settlement before the Conciliation Officer and so the matter has been referred to adjudication.

The case was originally fixed for hearing on 23rd November 1967. Due to a general strike call for that day the case could not be taken up and was adjourned to 2nd December 1967 and both parties were notified about the adjourned date of hearing. Neither party appeared on 2nd December 1967, but a few days thereafter Shri Provat Goswami, Organising Secretary of the Colliery Mazdoor Union appeared and asked for further adjournment, stating that the concerned workman could not yet be contacted. Accordingly, the case was adjourned for hearing to 28th December 1967 and both parties were again informed by registered post. On that day again neither party appeared, and Shri Provat Goswami has informed the tribunal over the phone that the workman could not be contacted. It is clear therefore that the workman is no longer interested in carrying on the case and it must be presumed that there is now no dispute which requires adjudication. The reference case is therefore disposed of on that footing namely that there is no dispute now which requires adjudication.

(Sd.) S. K. SEN.

Presiding Officer.

[No. 6/17/67-LRII.]

Dated, 23th December, 1967

*New Delhi, the 11th January 1968*

**S O. 295.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Kendra Colliery of Messrs Samla Collieries Limited, Post Office Pandaveshwar (Burdwan) and their workmen, which was received by the Central Government on the 8th January, 1968.

# **CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA**

REFERENCE No. 65 OF 1967

## **PARTIES:**

Employers in relation to the Kendra Colliery.

**AND**

Their workmen.

## **PRESENT:**

Shri S K Sen, Presiding Officer

## **APPEARANCES:**

*On behalf of Employers*—Shri M. K. Mukherjee, Advocate.

*On behalf of Workmen*—Shri Dinesh Singh.

STATE: West Bengal

INDUSTRY: Coal Mines.

## **AWARD**

By Order No. 6/47/67-LRII dated 24th August 1967, the Central Government referred for adjudication an industrial dispute between the employers in relation

to the Kendra Colliery of Messrs Samla Collieries Limited, Post Office Pandav-  
eshwar (Burdwan), and their workmen in respect of the matters specified in the  
following schedule:

"Whether the transfer of Shri Pranmohan Singh Prop Mazdoor from regular  
to Badli list with effect from the 31st March, 1967, by the management  
of Kendra Colliery was justified? If not, to what relief is the workmen  
entitled?"

2. Pranmohan Singh who was in permanent service at the colliery as a Prop  
mazdoor or Timber mazdoor applied for leave on account of his son's marriage from  
7th March 1967 to 29th March 1967. He was granted leave from 7th March 1967 to  
22nd March 1967. He went to his native village in Bhagalpur district on getting the  
leave. He did not rejoin on the 23rd March, 1967 but on 21st March 1967 he sent  
an application for extension of leave by 6 days. The manager received that letter  
on 25th March 1967 and on 28th March 1967 sent a reply refusing extension of  
leave. Pranmohan Singh did not receive the manager's reply but returned to the  
colliery on 29th March 1967, or 30th March 1967. He was not permitted to join his  
post, and on 31st March 1967 he was given the order of the manager terminating  
his lien on permanent service and placing him on the badli list. Pranmohan Singh  
accepted work as a badli worker but raised a dispute through his union against the  
termination of his lien.

3. The facts mentioned above are not in dispute. The only point for decision is  
whether in the circumstances the termination of his lien and placing him in the badli  
list by the management was justified. Shri M. K. Mukherjee appearing for the  
management has relied on Paragraph 10 clause (f) of the Standing Orders of the  
Samla Collieries Limited which runs as follows, "If a workman remains absent  
beyond the period of leave originally granted or subsequently extended he shall lose  
lien on his appointment unless he (a) returns within 10 days after expiry of his  
leave and (b) explains to the satisfaction of the manager his inability to return on  
the expiry of his leave. In case the workman loses his lien on the permanent  
appointment he shall be entitled to be kept on the badli list". On behalf of the  
workmen it has been urged that since the workman overstayed his leave by 6 days  
only, his lien ought not to have been terminated. Shri Mukherjee has however urged  
that even when a workman returns within 10 days, it is necessary that he should  
satisfy the manager about his inability to return in time, and that unless he can  
give some valid reason, the management is entitled to terminate his lien. As the  
clause of the Standing orders quoted stands the contention of Shri Mukherjee must  
be accepted even though it may be considered that it is harsh that workman who  
returns within 6 days should have his lien terminated. Pranmohan Singh has stated  
that he had sufficient reasons for his inability to join on 23rd March, 1967, because  
his son's marriage which was to take place on 12th March 1967 could not be held on  
that day and had to be postponed to 25th March 1967. But the evidence of the  
manager is that when the workman was questioned on his return from leave as to  
the reason for the delay, the workman only stated that he had already given the  
reason for the delay in his application for extension of leave. In the application for  
extension of leave, Ext. B, it is only mentioned that due to some unavoidable  
domestic circumstances the workman was in need of 6 days extension. The work-  
man submitted an application to the manager on 3rd April 1967 after he had received  
the order terminating his lien. This letter is marked Ext. 1. Even in this letter  
the workman only mentioned that he was compelled to extend leave by 6 days and  
that he sent the application for extension by registered post and that the manager's  
letter refusing extension had not been received by him. Thus he did not give the  
reason that the date of marriage of his son had been shifted. The manager stated  
that the workman's son, Ramjiban Singh, also took leave from 7th March 1967 to  
22nd March 1967 and came back from his leave on 23rd March 1967. In that case  
the reason given before the tribunal by Pranmohan Singh that the date of his son's  
marriage had been shifted to 25th March 1967 cannot be accepted as true. That  
being so, it must be held that the manager had acted within the powers given to  
him by the Standing Orders and therefore the termination of lien of Shri Pranmohan  
Singh, and his being placed in the badli list cannot be considered unjustified. That  
is my award. I may add the rider that in such a case it would be appropriate if  
the management took back the workman into permanent service at an early date.

Sd./- S. K. SEN,

Presiding Officer.

Dated, 5th January, 1968.

[No. 6/47/67-LRII.]

New Delhi, the 11th January 1968

S.O. 296.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (13 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Bankola Colliery, P.O. Ukhra, District Burdwan and their workmen, which was received by the Central Government on the 3rd January, 1968.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA.

REFERENCE No. 10 OF 1967

PARTIES:

Employers in relation to the Bankolla Colliery,

AND

Their workmen.

PRESENT:

Shri S. K. Sen, Presiding Officer.

APPEARANCES:

On behalf of Employers—Shri D. Narsingh, Advocate.

On behalf of Workmen—Shri D. L. Sen Gupta, Advocate.

STATE: West Bengal

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/80/66-IRII dated 3rd February 1967, the Central Government referred for adjudication an industrial dispute between the employers in relation to the Bankolla Colliery, Post Office Ukhra, District Burdwan and their workmen in respect of the matters specified in the following schedule:

"Whether the dismissal of the following workmen by the management of the Bankolla Colliery with effect from the dates shown against each was justified?

Sl. No.	Name of the workmen with Designation		Date of dismissal
1	Shri Bachan Kahar,	C.C.M. Mazdoor	11th Feb. 1966
2	" Ghurchu Shaw	"	"
3	" Sattaar Saikh,	"	"
4	" Laljit Dussadh,	Surface Trammer	"
5	" Abdul Hamid,	Clipman	"
6	" Jhapsu Jeswara,	U.G.Loader	"
7	" Anroop Jeswara,	"	"
8	" Janai Jeswara	"	"
9	" Munshi Pashi	"	"
10	" Ghurchu Dussad	"	"
11	" Md. Hanif	"	"
12	" Dil Mohammed,	Loader	25th April, 1966
13	" Mithu Passi	"	"
14	" Barsati Abir	"	"
15	" Sree Gareri	"	"
16	" Lahaju Chowhan	"	"
17	" Jairatan Pashi	"	"
18	" Satai Pasi	"	"
19	" Ayodhya Dusad	"	"
20	" Ramdhani Saw	"	"

If not, to what relief are these workmen entitled ?

2. According to the management the 20 workmen concerned in the case were served with separate chargesheets but in each case the charge was unauthorised absence for more than 10 days continuously. After each workman had submitted his reply, a domestic enquiry was held separately in respect of him and the workmen concerned participated in the domestic enquiry. After considering the report of the Enquiring Officer and with the approval of the appropriate authorities the manager passed the order of dismissal in each case. According to the management therefore the dismissal was justified in each case and the workmen are not entitled to any relief.

3. According to the union, the workmen were arrested by the police on the basis of the First Information report lodged by the manager, Shri S. S. Sharma in connection with an incident which took place at the colliery on 7th August 1965. The workmen after being detained in jail for more than a month obtained bail orders and were released between 21st September 1965 and 23rd September 1965. They could not, therefore, join their duty during that period for reasons beyond their control and dismissal in the circumstances must be held to amount to victimisation. According to the union, several other workmen who were similarly detained in jail and were absent for more than 10 days were either not chargesheeted at all by the management or were let off with nominal sentence and allowed to remain in service, and therefore there was discrimination against the workmen concerned in the case.

4. From the evidence before the tribunal it appears that all the 20 workmen were not arrested in connection with the police case started on the FIR of the manager, Shri S. S. Sharma dated 7th August 1965. No. 4 of the reference order, Laljit Dussadh, Surface trammer was absent from 4th October 1965 to 20th October 1965 and his defence was that he was residing in a wanted quarter at Ukhra village at a short distance from the colliery and he fell ill and was under the treatment of a medical officer and so he could not attend to his duty during the period of the charge. But the enquiry report, Ext. D4 and the Enquiry proceedings, Ext. D3 show that Laljit Dussadh did not apply for leave when he started to absent himself and did not submit any medical certificate in support of his plea of illness when he came back to rejoin his post or even at the time of the enquiry which was held on 5th November 1965. In the circumstances the charge of unauthorised absence for more than 10 days continuously without sufficient cause was rightly held established against him, and the order of dismissal cannot therefore be held to be wrong. As regards No. 9 of Reference order, Munshi Pashi, it appears that he absented himself from 12th August 1965 to 5th October 1965. The reason given by him for absence was that he was wrongfully kept from joining his duty during that period although he reported the matter to the manager. But at the domestic enquiry no evidence was produced to show that he had reported to the manager that he was not being permitted to join. The Welfare Officer stated at the inquiry that during the period of his absence between 12th August 1965 to 5th October 1965 Munshi Pashi did not report to him even on one day that he was being kept out of his job. When he was questioned by the Enquiring Officer he admitted that he had not reported for duty and did not give any reason for his absence. It may be that because many workmen were arrested by the police from 7th August 1965, he made himself scarce for fear of being arrested. The reason for absence cannot however be considered sufficient and therefore in his case the finding of the Enquiring Officer that the charge was proved and the order of dismissal must be upheld. In respect of No. 10 of the Reference Order, Ghurchu Dussad, who was chargesheeted for absence from 10th August 1965 and was absent until 5th October 1965, his defence was that he received information from home that his wife and daughter were very seriously ill and that he saw the manager and verbally obtained permission from him to go, and then when the chargesheet was sent to him by registered post, he came back even though his wife was still ill. At the domestic enquiry however the workman did not claim that he had obtained verbal permission from the manager. It must be well known to every workman that a written application for leave in the prescribed form must be filed and a leave slip obtained before going on leave. The Labour Bureau clerk who deals with leave applications was examined as a witness at the domestic enquiry, and he stated that Gurchu Dussad did not file any application before going on leave and did not even send any application from his village home and did not produce any medical certificate when he came back to show that his daughter and wife were ill or that his daughter had died. In the circumstances it must be held that the cause of long absence was not explained satisfactorily and therefore the order of dismissal for absence for more than 10 days without sufficient cause must be held to be justified. No. 11—Md. Hanif was charged for absence from 13th September 1965 to 6th October 1965. He took a defence similar to No. 9. Munshi Pashi, viz. that he was stopped from work although he reported for work almost every day during the period of the charge. But the Welfare Officer who deposed as a witness at the inquiry stated that during that period

Md. Hanif did not report to him on any day that he was not being allowed to join his work. When questioned by the Enquiring Officer, the workman took non-co-operative attitude and refused to reply to the questions. Thus his absence remained unexplained and in his case also the order of dismissal must be held to be justified.

5. The remaining 16 workmen stand on a different footing. They all took the defence that they had been arrested by the police at the instance of the manager, Shri S. S. Sharma, in connection with the incident which took place at the colliery on 7th August 1965 and that they came back for joining as soon as they were released on bail. It appears from the evidence of the then manager, Shri S. S. Sharma, who deposed as MW 1 that on 7th August 1965 there was a serious riot at the colliery; that a large number of men attacked him and one workman, a chaprashi employed in the colliery, was murdered in trying to repel the attackers, and a lot of damage was done to the colliery property including the manager's bungalow; and the manager sent information to the police on the telephone, and when the Police officer of Ondal P. S. arrived he lodged an FIR in connection with the incident and he named about 70 workmen as having participated in the riot, but the names of the 20 workmen concerned in this reference case were not mentioned in the FIR. A certified copy of the FIR lodged by Shri S. S. Sharma has been produced and marked as Ext. U. It appears from a scrutiny of the names that none of the 16 workmen, i.e. Nos. 1-3, 5-8 and 12-20 of the Reference Order occur in the FIR as named by Shri S. S. Sharma as concerned in the riot. The domestic enquiries in all these cases were held by the Welfare Officer, Shri S. N. Saigal, who deposed as MW2. In respect of workmen Nos. 1, 2, 3, 5, 6, 7 and 8 the enquiries were held in November or December 1965, and orders of dismissal were passed on them on 11th February 1966. In respect of Nos. 12 to 20 the enquiries were held towards the end of January or in February, 1966 and the orders of dismissal were passed on 25th April 1966. Though the enquiries were held separately in all these 16 cases, the nature of the evidence and the finding are similar. In some of the cases the workman concerned took a non-cooperative attitude and did not reply to the questions, but in other cases they took the defence that they had been arrested in connection with the case of 7th August 1965 and were in jail and could not therefore come to join. It appeared from the evidence of the Labour Bureau clerk that they had not sent any application from jail for leave. Apart from the statement in the replies to the chargesheet by all the 16 accused and the oral statement of many of them at the domestic enquiry, there was no evidence produced at the domestic enquiries to prove that they had actually been arrested and detained in jail for more than a month. The enquiring officer in his report stated that the workmen concerned had not been able to produce any evidence to show that they were really in jail; that even if they were in jail they should have filed applications for leave which they failed to do, and assuming that they had been arrested by the police they ought not to have indulged in such activities for which they could have been arrested by the police. On this ground the enquiring officer held that the absence from duty which was admitted was without sufficient cause.

6. The alternative reasons given by the Inquiring officer cannot be considered satisfactory. He should have obtained evidence to show whether or not the workmen had been arrested and detained in jail. Accordingly, at the hearing before the tribunal the union was asked to produce evidence to show that these workmen had really been arrested and had been detained in jail. The union submitted a certified copy of a forwarding report by the O.C., Ondal P.S. dt. 8th August 1965, Ext. 7 and 3 extracts from the Ordersheet of Subdivisional Magistrate, Asansol, in connection with Ondal Case No. 7 of 7th August 1965, marked Exts. 6, 6A and 6B. From the forwarding report it appears that although 70 persons had been named in the FIR Ext. U, the police arrested 84 workmen and forwarded them to the Subdivisional Magistrate, Asansol with the prayer that they might be detained in jail as they had been responsible for complete lawlessness in the colliery for a couple of hours and had assaulted the manager and damaged the colliery office and manager's bungalow in a planned manner. These 84 names include 13 of the 16 workmen whose cases are now under consideration namely No. 1—Bechan Kahar, No. 3—Sattaar Saikh, No. 5—Abdul Hamid, No. 6—Jhapsu Jeswara, No. 7—Anroop Jeswara, No. 8—Janai Jeswara, No. 12—Dil Mohammed, No. 13—Mithu Passi, No. 14—Barsati Ahir, No. 15—Sree Gareri, No. 16—Lahaju Chowhan, No. 17—Jairatan Pashi and No. 20—Ramdhani Saw. The extract from the order sheet, Ext. 6 dated 11th August 1965 shows that two others of the reference order, namely No. 2—Ghurchu Shaw and No. 19—Ayodhya Dusad were produced under arrest in connection with the case and were remanded to jail custody. Ext. 6A, extract from ordersheet dated 20th August 1965 shows that with several other persons No. 18—Satul Pasi was also produced under arrest in connection with the case and was remanded to the jail custody. Ext. 6B, extract from

the ordersheet dated 17-9-65 shows that after considering the result of a test identification parade the learned Magistrate refused bail to 13 of the 96 accused then under custody but allowed bail of Rs. 500 to each one of the remaining 83 accused. The names of the 13 accused to whom bail was refused do not include the names of the 16 workmen with whom we are concerned in the case. Presumably therefore they obtained a bail order on 17th September 1965 and they availed of the same within a few days thereafter. It is therefore clear that these 16 accused were detained in jail until 17th September 1965 or until a few days thereafter i.e. until they could furnish bail to the satisfaction of the Magistrate concerned. They were all chargesheeted by the Manager for absence until 21/9, 22/9 or 23/9, in other words, they must have reported by 22/9, 23/9 or 24/9, 1965. There is no suggestion on behalf of the union that any application for leave was sent by these 16 workmen when they were in jail. But the question is whether in the circumstances, the absence could be said to be without sufficient cause, as found by the enquiring officer. Shri D. Narsingh appearing for the management has relied on the two decisions of the Supreme Court, 1957 I LLJ 226 (Burn & Co. and their employees) and 1958 I LLJ 260 (Indian Iron & Steel Co. Ltd. and their workmen). In Burn & Co. case the workman concerned, one Ashimananda Banerjee, was arrested under the West Bengal Security Act and detained in jail from 25th January 1949 to 5th April 1951. The company terminated his service on 22nd April 1949 without any chargesheet or enquiry. The Supreme Court pointed out that the ground of discharge was continued absence of the employee and his inability to do any work, and observed that it was difficult to see what purpose would be served by a formal charge being delivered to him and what conceivable defence he could have taken. The order of the Labour Appellate Tribunal directing his reinstatement was set aside by the Supreme Court. This case however may be distinguished because detention in this case was over two years and the order of discharge was passed while the man was under detention and unable to work. In the Indian Iron & Steel Co.'s case, the Supreme Court applied the principle which had been recited in the earlier case and held that termination of service without formal chargesheet and without enquiry was justified. The Supreme Court observed that it was true that the arrested men were not in a position to come to work; this might be unfortunate for them but it would be unjust to hold that in such circumstances the company must always give leave when application for leave was made; if a large number of workmen was arrested by the authorities in charge of law and order by reason of their questionable activities in connection with a labour dispute as had happened in the case, the work of the company would be paralysed if the company was forced to give leave to all of them for a more or less indefinite period and it was immaterial whether the charges on which the workmen were arrested by the police were ultimately proved or not in a court of law; the company must carry on its work and might find it impossible to do so if numerous workmen were absent. The Supreme Court incidentally observed that it may be rightly accepted that if the workmen were arrested at the instance of the company for the purpose of victimisation and in order to get rid of them on the ostensible pretext of continued absence, the position would be different for it would then be a colourable or mala-fide exercise of the power under the relevant standing orders. Shri D. L. Sen Gupta appearing for the union has sought to distinguish this case by observing that the management in Indian Iron & Steel Co.'s case had acted on the provisions of paragraph 9 of the Company's Standing Orders, which provided that any worker who was absent for 14 consecutive days without permission would be automatically discharged, but in the present case the Standing orders of Bankolla colliery do not provide for automatic discharge for continued absence for any period; paragraph 18 clause (m) provides that continued absence without satisfactory cause for more than 10 days is a misconduct for which a workman is liable to dismissal after he has been given an opportunity to explain the allegation against him i.e. after a formal chargesheet and enquiry. Formal chargesheets were served on the 16 workmen and enquiries were held. But the question is whether the finding that the absence was without satisfactory cause was a proper finding in the circumstances of the case. Shri D. L. Sen Gupta has referred to a more recent decision of the Supreme Court, 1965 II LLJ 112 (Calcutta Dock Labour Board and Jafar Imam and others) where the Supreme Court disapproved of the Calcutta Dock Labour Board having terminated the service of a number of listed workers on the ground that they had been detained under the Preventive Detention Act. The Supreme Court observed that it was incumbent on the Dock Labour Board to give an opportunity to each such workman to show cause against the proposed order of termination or removal from the list, and a formal enquiry must be held at which the relevant evidence should be produced. The Supreme Court observed that an order of detention which deprived a citizen of his livelihood also. In the case before us one of the reasons given by the Supreme Court in the case of Indian Iron & Steel Co. Ltd. namely that the company could not be expected to grant leave to a large number of workmen at the same time as its work would suffer, does not apply, because

there was no question of granting leave and these workmen were permitted to join their work when they came back from jail and reported for duty. They were dismissed after several months after completing of the enquiry against them. In the circumstances, I must hold that it could not be properly said that the absence of these 16 workmen for over a month from the second week of August to the third week of September, 1965 was without satisfactory cause, because actually they had been arrested by the police and had been detained in jail in connection with the incident which took place at the colliery on 7th August 1965, and it must be held that even though they were present among the 400 workmen who had gathered at the time of the incident, they did not take an active part because there is no mention of them in the FIR which was lodged on the same day by the then manager. These 16 workmen are therefore entitled to reinstatement. In view of the fact that they omitted to apply for leave when they were detained in jail and the management might have thought on the basis of the earlier Supreme Court decisions referred to that termination of service in such cases would be justified I would hold that payment of half of the wages would be sufficient to meet the ends of justice.

7. My award therefore is as follows:—

The dismissal of four of the workmen included in the Reference Order namely No. 4-Laljit Dussadh, Surface trammer, No. 9-Munshi Pashi, U. G. Loader, No. 10-Ghurchu Dussad, U. G. Loader and No. 11-Md. Hanif, U.G Loader by the management of Bankolla colliery with effect from 11th February, 1966 was justified and they were not entitled to any relief; but the dismissal of the remaining workmen namely, No. 1-Bechan Kahar, C.C.M. Mazdoor, No. 2-Ghurchu Shaw, C.C.M. Mazdoor, No. 3-Sattaar Saikh, Trammer, No. 5-Abdul Hamid, Clipman, No. 6-Jhapsu Jeswara, U.G Loader, No. 7-Anroop Jeswara, U.G. Loader and No. 8-Janai Jeswara from 11th February, 1966 and No. 12-Dil Mohammed, Loader, No. 13-Mithu Passi, Loader, No. 14-Barsati Ahir, Loader, No. 15-Sree Gareri, Loader, No. 16-Lahaju Chowhan, Loader, No. 17-Jairatan Pashi, Loader, No. 18-Satai Pasi, Loader, No. 19-Ayodhya Dussad, Loader and No. 20-Raindhami Saw, Loader from 25th April, 1966 was not justified, and I direct that they be reinstated within one month from the date of publication of the award, and that from the date of dismissal until the date of reinstatement they be paid at the rate half of their total remuneration at the time of dismissal

Sd /- S. K. SRN,

Presiding Officer

[No 6/80/66-LRII.]

Dated, 28th December, 1967.

## ORDERS

*New Delhi, the 9th January 1968*

**S.O. 297.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of West Chirimiri Colliery, Post Office Chirimiri, District Surguja (Madhya Pradesh) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Jabalpur, constituted under section 7A of the said Act

## SCHEDULE

Whether the dismissal of Sarvashri Bhimo, son of Gadoo and Raghu son of Daya, tub loaders from the 29th August, 1967 by the management of West Chirimiri Colliery was justified? If not, to what relief are the workmen entitled?

[No 5/56 67-LRII ]

**S.O. 298.**—Whereas an industrial dispute exists between the East Basuria Colliery of Messrs East Basuria Colliery Company Private Limited, Post Office Kusunda, District Dhanbad (hereinafter referred to as the said company) and their workmen represented by the Congress Mazdoor Sangh, Bihar Post Office Jealgora (Dhanbad) (hereinafter referred to as the Union);

And whereas the said Company and the Union have by a written agreement, in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), referred the said dispute to the arbitration of the person specified therein, and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provisions of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement, which was received by it on the 29th December, 1967.

### *Agreement*

(Under Section 10A of the Industrial Disputes Act, 1947)

### BETWEEN

#### *Name of the parties:*

*Representing Employers.*—Shri K. G. Rawal, Manager, East Basuria Colliery of M/s. East Basuria Colliery Co. Private Ltd., P.O. Kusunda, Distt. Dhanbad.

*Representing Workmen.*—Shri B. N. Sharma, President, Congress Mazdoor Sangh, Bihar, Camp: Jorapokhar No. 1, P.O. Jealgora (Dhanbad).

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri K. Sharan, Assistant Labour Commissioner (Central) Dhanbad-I.

- (i) Specific matters in dispute.—“Whether the management of East Basuria Colliery of M/s. East Basuria Colliery Co. (P.) Ltd., P.O. Kusunda, Distt. Dhanbad was justified in dismissing from service Shri Sachidanand Singh, Attendance Clerk with effect from 19th September 1966? If not, to what relief is the workman concerned entitled?”
- (ii) Details of the parties to the dispute including the name and address of the establishment or undertaking      Employer in relation to East Basuria Colliery of M/s. East Basuria Colliery Co. (P.) Ltd., P.O. Kusunda, Distt. Dhanbad and its workmen.
- (iii) Name of the union, if any, representing the workmen in question      Congress Mazdoor Sangh, Bihar, P.O. Jealgora, Distt. Dhanbad.
- (iv) Total number of workmen employed in the undertaking affected      1050.
- (v) Estimated number of workmen affected or likely to be affected by the dispute      1 (one) the decision of the arbitrator.
- (vi) We further agree that the decision shall be binding on us.

The arbitrator shall make his award within a period of 3 (three) months or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to investigate for fresh arbitration.

Signature of the parties:—

*Representing Employer*  
For & on behalf of the East  
Basuria Colliery Co. (P) Ltd.,  
(Sd.) Illegible,  
Manager.

*Representing Workmen*  
(Sd.) Illegible,  
President  
Congress Mazdoor Sangh, Bihar.

Witnesses:

- (1) Sd./- MOHANLAL,
- (2) Sd./- J. N. DAS,

[No. 2/15/67-LRII.]



**S.O. 299.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Ghugus Colliery, P.O. Maneckpur, District Chanda (Maharashtra) and their workmen in respect of the matters specified in the Schedule hereto annexed,

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Jabalpur, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the management of Ghugus Colliery of M/s. Ballarpur Collieries Ltd., Nagpur, is justified in refusing promotion as store keeper to Shri R. M. Gadre, Assistant Store Keeper, in the vacancy of Shri P. B. Vaidya, Store Keeper, from July, 1967. If not, to what relief is Shri R. M. Gadre entitled?

[No. 5/68 67-LR-II.]

*New Delhi, the 10th January 1968*

**S.O. 300.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Samla Dalurband Colliery, Post Office Pandaveswar, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed,

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the refusal of employment to Shri Gora Chand Bouri, Winding Engine Khalasi, by the management of Samla Dalurband Colliery, with effect from the 6th December, 1965, was justified? If not, to what relief is the workman entitled?

[No. 6/86/67-LR.II.]

#### CORRIGENDUM

*New Delhi, the 20th January 1968*

**S.O. 301.**—In the Notification No. 6/121/66-LR.II, dated the 15th November, 1967 of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) published in the Gazette of India, Part II Section 3 Sub-section (ii), dated the 9th December, 1967, at page 4561, under S.O. No. 4295 dated the 15th November, 1967—

in lines 5 and 6 of the notification, for “10th December, 1967” read “10th November, 1967”.

[No. 6/121/66-LR.II.]

BALWANT SINGH, Under Secy.

(Department of Labour & Employment)

*New Delhi, the 10th January 1968*

**S.O. 302.**—In exercise of the powers conferred by sub-section (3) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby appoints Shri Bishram Kaluram Bind as a member of the Mormugao Dock Labour Board vice Shri Ramesh Chandra Waman Desai,

resigned, to represent the dock workers and makes the following further amendment in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 1220 dated the 15th April, 1965, namely:—

In the said notification, under the heading "*Members representing the dock workers*", for the entry against item (1), the following entry shall be substituted namely:

"Shri Bishram Kaluram Bind".

[No. 550/4/65-Fac. II.]

*New Delhi, the 12th January 1968*

**S.O. 303.**—The following draft of a notification, which the Central Government purposes to make, in exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (11 of 1948), is hereby published for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 5th March, 1968.

Any objections or suggestions which may be received from any person in respect of the said draft before the date so specified will be considered by the Central Government.

#### *Draft Notification*

In exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (11 of 1948) the Central Government hereby directs that for a period of two years with effect from the date of publication of this notification, the provisions of sub-section (1) of section 13 and section 14 of the said Act, in so far as they relate to the regulation of weekly rest days and payment of overtime wages respectively, shall not apply to the conservancy staff employed by the Cantonment Boards subject to the condition that weekly rest of the conservancy staff is so arranged that they get rest for two half days in a week instead of one full day as at present. Whenever the conservancy staff are made to work on the half rest days in the week, they shall be paid overtime wages for the work done and granted in addition substituted half rest days for the rest foregone.

[No. F. LWI(I)8(2)1966.]

K. D. HAJELA, Under Secy.

#### (Department of Labour & Employment)

*New Delhi, the 12th January 1968*

**S.O. 304.**—In pursuance of sub-section (3) of section 73A of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby gives notice of its intention to vary, after the expiry of a period of two months from the date of this notification, the percentage of the total wage bill of the employer constituting the employer's special contribution fixed in the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 851 dated the 20th March, 1962, to the following extent, namely:—

In the case of factories and establishments situate in any area in which the provisions of both Chapters IV and V of the said Act are in force, the employer's special contribution shall be raised from 2½ per cent to 3 per cent of the total wage bill of the employer.

[No. F. 1/1/68-HI.]

DALJIT SINGH, Under Secy.

#### (Department of Labour & Employment)

#### ORDERS

*New Delhi, the 11th January 1968*

**S.O. 305.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Parseoni Manganese mine

of Smt. Rani Indumati Devi and its workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Jabalpur, constituted under section 7A of the said Act.

#### SCHEDULE

- (1) Whether the workers of Parseeni Manganese mine belonging to Smt. Rani Indumati Devi are entitled to increase in the present rate of wages namely Rs. 250 per frame of size of  $\frac{7'}{2} \times \frac{7'}{2} \times 1'$ ? If so, from what date and at what rate?
- (2) Whether the workers of Parseeni Manganese Mines belonging to Smt. Rani Indumati Devi are entitled to sick leave with wages? If so, at what rate, from what date and on what conditions?

[No. 35/1/67-LRI.]

**S.O. 306.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the managements of Manganese Mines specified in Schedule I and their workmen in respect of the matters specified in the Schedule II hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Jabalpur, constituted under section 7A of the said Act.

#### SCHEDULE I

Sl. No.	Name of the employer together with address	Name of the Manganese Mine
1	M/s. B. Patnaik Mines (P) Ltd., Seramda, P. O. Barbil, Dt. Keonjhar	1. B. Patnaik, Manganese Mines
2	M/s. M. L. Rungta, P. O. Chaibasa, Dt. Singhbhum (Bihar)	1. Siljora Kalmatti Manganese Mines
3	M/s. Bhanja Minerals (P) Ltd., P. O. Chamakpur, Dt. Keonjhar	1. Inganijharan Manganese Mines
4	Smt. Sabita Roy, I. T. C., P. O. Johang, Via Joda, Dt. Keonjhar	1. Jalahuri Manganese Mine
5	M/s. K. N. Ram & Co., P. O. Barbil, Dt. Keonjhar	1. Rolda Manganese Mines
6	Shri M. S. Deb, P. O. Barbil, Dt. Keonjhar	1. Inganijharan Manganese Mines
7	M/s. Mining & Transporting Co., Contractors of M/s. Orissa Minerals Development Co. Ltd., P. O. Barbil, Dt. Keonjhar.	1. Bhadrasahi Manganese Mines 2. Chumalda K-13 Manganese Mines

#### SCHEDULE II

Whether the demand of the workmen employed in the Manganese Mines of the employers mentioned in Schedule I for increase in their existing rates of wages is justified? If so, to what relief are the workmen entitled and from what date?

[No. 37/22/67-LRI.]

*New Delhi, the 15th January 1968*

**S.O. 307.**—Whereas by an order of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. 37/22/67-LRI, dated the 11th January, 1968, an industrial dispute between the employers in relation to the managements of the Manganese Mines and their workmen has been referred to the Industrial Tribunal, Jabalpur, for adjudication

Now, therefore, in exercise of the powers conferred by sub-section (3) of the section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby prohibits the continuance of the strike in existence in the said Manganese Mines in connection with the said dispute.

[No. 37/22/67 LRI.]

O. P. TALWAR, Under Secy.

(Department of Labour and Employment)

[OFFICE OF THE CHIEF LABOUR COMMISSIONER (CENTRAL)]

#### ORDERS

*New Delhi, the 8th January 1968*

**S.O. 308.**—Whereas an application has been made by the establishment carrying on operation concerning any mine other than coal mentioned in the Schedule below for extension of the period specified in clause (b) of section 19 of the Payment of Bonus Act, 1965 (No. 21 of 1965), for the payment of bonus to their employees for the accounting year ended on the 31st March, 1967;

And whereas Chief Labour Commissioner is satisfied that there are sufficient reasons so to do;

Now, therefore, in exercise of the powers conferred by the proviso to clause (b) of section 19 of the said Act, read with the notification of the Govt. of India in the Ministry of Labour & Employment No. WB-20(42)/65 dated the 28th August, 1965, I O. Venkatachalam, Chief Labour Commissioner hereby extend the period within which the said bonus shall be paid by the establishment to 9 (Nine) months from the close of the accounting year ended on the 31st March, 1967.

#### THE SCHEDULE

- (1) S. Kantilal & Co., Ltd.  
Post Box No. 114  
Margao-Goa (India)

(In respect of Sancorda mine, Barazan group of mines & Villiena Mine)

O. VENKATACHALAM,

Chief Labour Commissioner (Central).

[No. BA-6(49)/67-LSI]

**S.O. 309.**—Whereas an application has been made by the establishment, carrying on operation concerning any mine other than coal mentioned in the Schedule below for extension of the period specified in clause (b) of section 19 of the Payment of Bonus Act, 1965 (No. 21 of 1965), for the payment of bonus to their employees for the accounting year ended on the 31st March, 1967;

And whereas Chief Labour Commissioner is satisfied that there are sufficient reasons so to do;

Now, therefore, in exercise of the powers conferred by the proviso to clause (b) of section 19 of the said Act, read with the notification of the Govt. of India in the Ministry of Labour & Employment No. WB. 20(42)/65 dated the 28th August, 1965, I O. Venkatachalam, Chief Labour Commissioner hereby extend the period within which the said bonus shall be paid by the establishment to 9(nine) months from the close of the accounting year ended on the 31st March, 1967.

#### THE SCHEDULE

- (1) Shantilal Khushaldas & Bros.  
Mines owners & exporters of  
Mineral Ore P. O. Box No.  
35 Margao-Goa.

[In respect of Azalinolacho Tembo (Betul Mine), Melca Group of Mines, Arvalet Group of Mines, and Nanora mines]

[No. BA-6(48)/67-LSI]

O. VENKATACHALAM

Chief Labour Commissioner (Central).

(Department of Rehabilitation)

(Office of the Regional Settlement Commissioner, Rajasthan)

ORDER

Jaipur, the 11th January 1968

**S.O. 310.**—In exercise of the powers vested in me under Section 34 of the (Compensation and Rehabilitation) Act, 1954, I hereby delegate my powers of Determining under Section 7(3) *ibid*, the net compensation payable to the claimants to Shri B. L. Juneja, and also authorise him under Rule 15 of the Displaced persons (Compensation and Rehabilitation) Rules, 1955, to prepare summaries in Appendix VII and to sign the payment orders thereon w.e.f. 5th January 1968 (F.N.)

[No. RSCR/AO/Admn./1(32)/66/Policy/668 ]

**HARISH CHANDAR,**

Settlement Commissioner,  
Rajasthan, Jaipur.

New Delhi, the 16th January 1968

New Delhi the 16th January 1968

**S.O. 310A.**—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Natural Gas from Naharkatiya in Assam State to Dultajan in the Jeypore and Kheromia Mouzas of Lakhimpur District, in Assam State, pipelines should be laid by the Assam Gas Company Limited and that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the competent authority at the Deputy Commissioner's Office, Dibrugarh. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Village	Patta No.	Survey Plot No.	Extent area		
			Bigha	Katha	Lessa
Jagun Pathar No. 2	P. P. No. 10 . . .	24	1	0	6
	Annual . . .	25	0	1	13
	P. P. No. 14 . . .	27	0	4	6
	P. P. No. 12 . . .	36	0	1	0
	Annual . . .	37	0	2	7
	P. P. No. 9 <sup>1</sup> . . .	38	1	1	5
	Annual . . .	51	1	2	2
	Annual . . .	52	0	1	0
	Annual . . .	72	0	1	0

Village	Patta No.	Survey Plot No.	Extent Area		
			Bigha	Katha	Lessa
	Annual . . . .	107	0	1	8
	Sarkari . . . .	110	2	1	2
	P. P. No. 11 . . . .	111	0	2	2
	Annual . . . .	120	2	2	2
	Annual . . . .	138	0	0	10
	Annual . . . .	141	0	1	2
	Annual . . . .	147	0	0	10
	Sarkari . . . .	148	0	1	2
	Sarkari . . . .	164	0	1	15
Salakataki No. 1	Govt. waste land . . . .	225	0	4	5
	P. P. No. 69 . . . .	226	0	1	13
	G. W. land . . . .	228	0	0	10
	P. P. No. 52 . . . .	229	0	1	10
	P. P. No. 42 . . . .	230	0	2	19
	P. P. No. 57 . . . .	233	0	1	13
	P. P. No. 18 . . . .	243	1	1	5
	P. P. No. 16 . . . .	257	0	2	19
	P. P. No. 69 . . . .	260	0	1	5
	P. P. No. 12 . . . .	267	0	4	12
	P. P. No. 18 . . . .	270	0	4	5
	Annual . . . .	289	0	0	18
	G. W. land . . . .	308	0	2	18
	P. P. No. 16 . . . .	378	0	2	13
	P. P. No. 42 . . . .	384	0	0	10
Salakataki No. 2	G. W. land . . . .	81	0	0	16
	Do. . . .	82	1	3	6
	Do. . . .	120	3	1	0
Jagun Pathar No. 1	Annual . . . .	1	0	1	5
	G. W. land . . . .	5	0	0	11
	Do. . . .	6	0	0	11
	Do. . . .	7	0	0	11
	Government . . . .	14	0	1	16
	Do. . . .	15	1	0	10
	Do. . . .	16	0	0	10
	Annual . . . .	22	0	2	2
	Do. . . .	49	0	1	5
Tipling Bahadhari .	P. P. No. 38 . . . .	15	0	1	16
	P. P. No. 38 . . . .	18	0	1	16
	P. P. No. 37 . . . .	19	0	4	14
	P. P. No. 33 . . . .	20	1	0	1
	P. P. No. 33 . . . .	21	0	1	1
	P. P. No. 3 . . . .	24	0	2	2
	P. P. No. 57 . . . .	30	0	4	10
	Sarkari . . . .	8	0	1	9

Village	Patta No.	Survey Plot No.	Extent Area		
			Bigha	Katha	Lessa
	Annual . . . .	372	1	0	0
	Oil India Limited. . . .	..	0	1	7
	P. P. No. 37 . . . .	5	0	0	15
	Bil. . . .	4	0	3	9
Hatigarh Block(NC)	Annual . . . .	56	0	1	10
	OIL . . . .	55	0	3	0
	Sarkari . . . .	59	0	2	5
	OIL . . . .	53	0	0	16
	Annual . . . .	52	0	1	7

[No. 28/1/68-IOC.]

P. P GUPTA, Under Secy.

